



Elementary Secondary Education Committee

Filed: 5/16/2007

09500SB0397ham001

LRB095 07289 NHT 36055 a

1 AMENDMENT TO SENATE BILL 397

2 AMENDMENT NO. _____. Amend Senate Bill 397 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 14-13.01 and 28-21 as follows:

6 (105 ILCS 5/14-13.01) (from Ch. 122, par. 14-13.01)

7 Sec. 14-13.01. Reimbursement payable by State; Amounts.
8 Reimbursement for furnishing special educational facilities in
9 a recognized school to the type of children defined in Section
10 14-1.02 shall be paid to the school districts in accordance
11 with Section 14-12.01 for each school year ending June 30 by
12 the State Comptroller out of any money in the treasury
13 appropriated for such purposes on the presentation of vouchers
14 by the State Board of Education.

15 The reimbursement shall be limited to funds expended for
16 construction and maintenance of special education facilities

1 designed and utilized to house instructional programs,
2 diagnostic services, other special education services for
3 children with disabilities and reimbursement as provided in
4 Section 14-13.01. There shall be no reimbursement for
5 construction and maintenance of any administrative facility
6 separated from special education facilities designed and
7 utilized to house instructional programs, diagnostic services
8 and other special education services for children with
9 disabilities.

10 (a) For children who have not been identified as eligible
11 for special education and for eligible children with physical
12 disabilities, including all eligible children whose placement
13 has been determined under Section 14-8.02 in hospital or home
14 instruction, 1/2 of the teacher's salary but not more than
15 \$1,000 annually per child or \$8,000 per teacher for the
16 1985-1986 school year and thereafter, whichever is less.
17 Children to be included in any reimbursement under this
18 paragraph must regularly receive a minimum of one hour of
19 instruction each school day, or in lieu thereof of a minimum of
20 5 hours of instruction in each school week in order to qualify
21 for full reimbursement under this Section. If the attending
22 physician for such a child has certified that the child should
23 not receive as many as 5 hours of instruction in a school week,
24 however, reimbursement under this paragraph on account of that
25 child shall be computed proportionate to the actual hours of
26 instruction per week for that child divided by 5.

1 (b) For children described in Section 14-1.02, 4/5 of the
2 cost of transportation for each such child, whom the State
3 Superintendent of Education determined in advance requires
4 special transportation service in order to take advantage of
5 special educational facilities. Transportation costs shall be
6 determined in the same fashion as provided in Section 29-5. For
7 purposes of this subsection (b), the dates for processing
8 claims specified in Section 29-5 shall apply.

9 (c) For each professional worker excluding those included
10 in subparagraphs (a), (d), (e), and (f) of this Section, the
11 annual sum of \$8,000 for the 1985-1986 school year and
12 thereafter.

13 (d) For one full time qualified director of the special
14 education program of each school district which maintains a
15 fully approved program of special education the annual sum of
16 \$8,000 for the 1985-1986 school year and thereafter. Districts
17 participating in a joint agreement special education program
18 shall not receive such reimbursement if reimbursement is made
19 for a director of the joint agreement program.

20 (e) For each school psychologist as defined in Section
21 14-1.09 the annual sum of \$8,000 for the 1985-1986 school year
22 and thereafter.

23 (f) For each qualified teacher working in a fully approved
24 program for children of preschool age who are deaf or
25 hard-of-hearing the annual sum of \$8,000 for the 1985-1986
26 school year and thereafter.

1 (g) For readers, working with blind or partially seeing
2 children 1/2 of their salary but not more than \$400 annually
3 per child. Readers may be employed to assist such children and
4 shall not be required to be certified but prior to employment
5 shall meet standards set up by the State Board of Education.

6 (h) For necessary non-certified employees working in any
7 class or program for children defined in this Article, 1/2 of
8 the salary paid or \$2,800 annually per employee, whichever is
9 less.

10 The State Board of Education shall set standards and
11 prescribe rules for determining the allocation of
12 reimbursement under this section on less than a full time basis
13 and for less than a school year.

14 When any school district eligible for reimbursement under
15 this Section operates a school or program approved by the State
16 Superintendent of Education for a number of days in excess of
17 the adopted school calendar but not to exceed 235 school days,
18 such reimbursement shall be increased by 1/180 ~~1/185~~ of the
19 amount or rate paid hereunder for each day such school is
20 operated in excess of 180 ~~185~~ days per calendar year.

21 Notwithstanding any other provision of law, any school
22 district receiving a payment under this Section or under
23 Section 14-7.02, 14-7.02b, or 29-5 of this Code may classify
24 all or a portion of the funds that it receives in a particular
25 fiscal year or from general State aid pursuant to Section
26 18-8.05 of this Code as funds received in connection with any

1 funding program for which it is entitled to receive funds from
2 the State in that fiscal year (including, without limitation,
3 any funding program referenced in this Section), regardless of
4 the source or timing of the receipt. The district may not
5 classify more funds as funds received in connection with the
6 funding program than the district is entitled to receive in
7 that fiscal year for that program. Any classification by a
8 district must be made by a resolution of its board of
9 education. The resolution must identify the amount of any
10 payments or general State aid to be classified under this
11 paragraph and must specify the funding program to which the
12 funds are to be treated as received in connection therewith.
13 This resolution is controlling as to the classification of
14 funds referenced therein. A certified copy of the resolution
15 must be sent to the State Superintendent of Education. The
16 resolution shall still take effect even though a copy of the
17 resolution has not been sent to the State Superintendent of
18 Education in a timely manner. No classification under this
19 paragraph by a district shall affect the total amount or timing
20 of money the district is entitled to receive under this Code.
21 No classification under this paragraph by a district shall in
22 any way relieve the district from or affect any requirements
23 that otherwise would apply with respect to that funding
24 program, including any accounting of funds by source, reporting
25 expenditures by original source and purpose, reporting
26 requirements, or requirements of providing services.

1 (Source: P.A. 92-568, eff. 6-26-02; 93-1022, eff. 8-24-04.)

2 (105 ILCS 5/28-21) (from Ch. 122, par. 28-21)

3 Sec. 28-21. The State Board of Education shall require each
4 publisher of any printed textbook that is listed for use by the
5 State Board of Education under this Article or that is
6 furnished at public expense under Sections 28-14 through 28-19
7 and is first published after July 19, 2006 ~~or that is provided~~
8 ~~by loan free of charge to any student under Section 18-17~~ to
9 furnish, as provided in this Section, an accessible electronic
10 file set of contracted print material to the National
11 Instructional Materials Access Center, which shall then be
12 available to the State Board of Education or its authorized
13 user for the purpose of conversion to an accessible format for
14 use by a child with a print disability and for distribution to
15 local education agencies. An "accessible electronic file"
16 means a file that conforms to specifications of the national
17 file format adopted by the United States Department of
18 Education. Other terms used in this Section shall be construed
19 in compliance with the federal Individuals with Disabilities
20 Education Act and related regulations.: ~~(i) computer diskettes~~
21 ~~for literary subjects in the American Standard Code for~~
22 ~~Information Interchange (ASCII) from which Braille versions of~~
23 ~~the textbook can be produced, and (ii) a copy of the textbook~~
24 ~~for those literary subjects with copyright permission to~~
25 ~~duplicate into Braille, large print, or tape. The copy of the~~

1 ~~textbook with copyright permission shall be furnished by the~~
2 ~~publisher to the State Board of Education within 15 days after~~
3 ~~the publisher receives the request of the State Board of~~
4 ~~Education for that material. The computer diskettes for~~
5 ~~literary subjects in ASCII from which Braille versions of the~~
6 ~~textbook can be produced shall be furnished by the publisher to~~
7 ~~the State Board of Education or its designee or designees, for~~
8 ~~those students identified as Braille readers, within 90 days~~
9 ~~after the publisher receives the request of the State Board of~~
10 ~~Education for those computer diskettes. Each publisher of any~~
11 ~~such textbook shall also be required to furnish to the State~~
12 ~~Board of Education or its designee or designees, for those~~
13 ~~students identified as Braille readers, computer diskettes in~~
14 ~~ASCII for nonliterary subjects, including natural sciences,~~
15 ~~computer science, mathematics, and music, when Braille~~
16 ~~specialty code translation software is available.~~

17 (Source: P.A. 87-1071.)

18 Section 99. Effective date. This Act takes effect July 1,
19 2007."