

# HB1831



## 97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1831

by Rep. Elizabeth Hernandez

### SYNOPSIS AS INTRODUCED:

105 ILCS 5/1D-1

Amends the Block Grants for Chicago Article of the School Code. Removes a provision that requires the educational services block grant to include the Bilingual Program. Effective July 1, 2011.

LRB097 00033 NHT 40036 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section  
5 1D-1 as follows:

6 (105 ILCS 5/1D-1)

7 Sec. 1D-1. Block grant funding.

8 (a) For fiscal year 1996 and each fiscal year thereafter,  
9 the State Board of Education shall award to a school district  
10 having a population exceeding 500,000 inhabitants a general  
11 education block grant and an educational services block grant,  
12 determined as provided in this Section, in lieu of distributing  
13 to the district separate State funding for the programs  
14 described in subsections (b) and (c). The provisions of this  
15 Section, however, do not apply to any federal funds that the  
16 district is entitled to receive. In accordance with Section  
17 2-3.32, all block grants are subject to an audit. Therefore,  
18 block grant receipts and block grant expenditures shall be  
19 recorded to the appropriate fund code for the designated block  
20 grant.

21 (b) The general education block grant shall include the  
22 following programs: REI Initiative, Summer Bridges, Preschool  
23 At Risk, K-6 Comprehensive Arts, School Improvement Support,

1 Urban Education, Scientific Literacy, Substance Abuse  
2 Prevention, Second Language Planning, Staff Development,  
3 Outcomes and Assessment, K-6 Reading Improvement, 7-12  
4 Continued Reading Improvement, Truants' Optional Education,  
5 Hispanic Programs, Agriculture Education, Parental Education,  
6 Prevention Initiative, Report Cards, and Criminal Background  
7 Investigations. Notwithstanding any other provision of law,  
8 all amounts paid under the general education block grant from  
9 State appropriations to a school district in a city having a  
10 population exceeding 500,000 inhabitants shall be appropriated  
11 and expended by the board of that district for any of the  
12 programs included in the block grant or any of the board's  
13 lawful purposes.

14 (c) The educational services block grant shall include the  
15 following programs: ~~Bilingual~~, Regular and Vocational  
16 Transportation, State Lunch and Free Breakfast Program,  
17 Special Education (Personnel, Transportation, Orphanage,  
18 Private Tuition), funding for children requiring special  
19 education services, Summer School, Educational Service  
20 Centers, and Administrator's Academy. This subsection (c) does  
21 not relieve the district of its obligation to provide the  
22 services required under a program that is included within the  
23 educational services block grant. It is the intention of the  
24 General Assembly in enacting the provisions of this subsection  
25 (c) to relieve the district of the administrative burdens that  
26 impede efficiency and accompany single-program funding. The

1 General Assembly encourages the board to pursue mandate waivers  
2 pursuant to Section 2-3.25g.

3 The funding program included in the educational services  
4 block grant for funding for children requiring special  
5 education services in each fiscal year shall be treated in that  
6 fiscal year as a payment to the school district in respect of  
7 services provided or costs incurred in the prior fiscal year,  
8 calculated in each case as provided in this Section. Nothing in  
9 this Section shall change the nature of payments for any  
10 program that, apart from this Section, would be or, prior to  
11 adoption or amendment of this Section, was on the basis of a  
12 payment in a fiscal year in respect of services provided or  
13 costs incurred in the prior fiscal year, calculated in each  
14 case as provided in this Section.

15 (d) For fiscal year 1996 and each fiscal year thereafter,  
16 the amount of the district's block grants shall be determined  
17 as follows: (i) with respect to each program that is included  
18 within each block grant, the district shall receive an amount  
19 equal to the same percentage of the current fiscal year  
20 appropriation made for that program as the percentage of the  
21 appropriation received by the district from the 1995 fiscal  
22 year appropriation made for that program, and (ii) the total  
23 amount that is due the district under the block grant shall be  
24 the aggregate of the amounts that the district is entitled to  
25 receive for the fiscal year with respect to each program that  
26 is included within the block grant that the State Board of

1 Education shall award the district under this Section for that  
2 fiscal year. In the case of the Summer Bridges program, the  
3 amount of the district's block grant shall be equal to 44% of  
4 the amount of the current fiscal year appropriation made for  
5 that program.

6 (e) The district is not required to file any application or  
7 other claim in order to receive the block grants to which it is  
8 entitled under this Section. The State Board of Education shall  
9 make payments to the district of amounts due under the  
10 district's block grants on a schedule determined by the State  
11 Board of Education.

12 (f) A school district to which this Section applies shall  
13 report to the State Board of Education on its use of the block  
14 grants in such form and detail as the State Board of Education  
15 may specify.

16 (g) This paragraph provides for the treatment of block  
17 grants under Article 1C for purposes of calculating the amount  
18 of block grants for a district under this Section. Those block  
19 grants under Article 1C are, for this purpose, treated as  
20 included in the amount of appropriation for the various  
21 programs set forth in paragraph (b) above. The appropriation in  
22 each current fiscal year for each block grant under Article 1C  
23 shall be treated for these purposes as appropriations for the  
24 individual program included in that block grant. The proportion  
25 of each block grant so allocated to each such program included  
26 in it shall be the proportion which the appropriation for that

1 program was of all appropriations for such purposes now in that  
2 block grant, in fiscal 1995.

3 Payments to the school district under this Section with  
4 respect to each program for which payments to school districts  
5 generally, as of the date of this amendatory Act of the 92nd  
6 General Assembly, are on a reimbursement basis shall continue  
7 to be made to the district on a reimbursement basis, pursuant  
8 to the provisions of this Code governing those programs.

9 (h) Notwithstanding any other provision of law, any school  
10 district receiving a block grant under this Section may  
11 classify all or a portion of the funds that it receives in a  
12 particular fiscal year from any block grant authorized under  
13 this Code or from general State aid pursuant to Section 18-8.05  
14 of this Code (other than supplemental general State aid) as  
15 funds received in connection with any funding program for which  
16 it is entitled to receive funds from the State in that fiscal  
17 year (including, without limitation, any funding program  
18 referred to in subsection (c) of this Section), regardless of  
19 the source or timing of the receipt. The district may not  
20 classify more funds as funds received in connection with the  
21 funding program than the district is entitled to receive in  
22 that fiscal year for that program. Any classification by a  
23 district must be made by a resolution of its board of  
24 education. The resolution must identify the amount of any block  
25 grant or general State aid to be classified under this  
26 subsection (h) and must specify the funding program to which

1 the funds are to be treated as received in connection  
2 therewith. This resolution is controlling as to the  
3 classification of funds referenced therein. A certified copy of  
4 the resolution must be sent to the State Superintendent of  
5 Education. The resolution shall still take effect even though a  
6 copy of the resolution has not been sent to the State  
7 Superintendent of Education in a timely manner. No  
8 classification under this subsection (h) by a district shall  
9 affect the total amount or timing of money the district is  
10 entitled to receive under this Code. No classification under  
11 this subsection (h) by a district shall in any way relieve the  
12 district from or affect any requirements that otherwise would  
13 apply with respect to the block grant as provided in this  
14 Section, including any accounting of funds by source, reporting  
15 expenditures by original source and purpose, reporting  
16 requirements, or requirements of provision of services.

17 (Source: P.A. 92-568, eff. 6-26-02; 92-651, eff. 7-11-02;  
18 93-21, eff. 7-1-03; 93-53, eff. 7-1-03; 93-1022, eff. 8-24-04.)

19 Section 99. Effective date. This Act takes effect July 1,  
20 2011.