



Sen. Heather A. Steans

Filed: 5/9/2012

09700HB5826sam001

LRB097 19949 NHT 69292 a

1 AMENDMENT TO HOUSE BILL 5826

2 AMENDMENT NO. _____. Amend House Bill 5826 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 1C-4, 2-3.7, 2-3.22, 2-3.27, 2-3.53a, 2-3.137, 2-3.139,
6 10-22.31a, 18-4.5, 18-6, 18-8.05, 18-12, 26-2a, 27A-6, 27A-7,
7 and 34-8 as follows:

8 (105 ILCS 5/1C-4)

9 Sec. 1C-4. Report Reports. ~~The State Superintendent of~~
10 ~~Education, in cooperation with the school districts~~
11 ~~participating under this Article, shall annually report to the~~
12 ~~leadership of the General Assembly on the progress made in~~
13 ~~implementing this Article. By February 1, 1997, the State Board~~
14 ~~of Education shall submit to the Governor and General Assembly~~
15 ~~a comprehensive plan for Illinois school districts, including~~
16 ~~the school district that has been organized under Article 34~~

1 ~~and is under the jurisdiction of the Chicago Board of~~
2 ~~Education, to establish and implement a block grant funding~~
3 ~~system for educational programs that are currently funded~~
4 ~~through single program grants. Before submitting its plan to~~
5 ~~establish and implement a block grant funding system to the~~
6 ~~Governor and General Assembly as required by this Section, the~~
7 ~~State Board of Education shall give appropriate notice of and~~
8 ~~hold statewide public hearings on the subject of funding~~
9 ~~educational programs through block grants. The plan shall be~~
10 ~~designed to relieve school districts of the administrative~~
11 ~~burdens that impede efficiency and accompany single program~~
12 ~~funding.~~ A school district that receives an Early Childhood
13 Education Block Grant shall report to the State Board of
14 Education on its use of the block grant in such form and detail
15 as the State Board of Education may specify. In addition, the
16 report must include the following description for the district,
17 which must also be reported to the General Assembly: block
18 grant allocation and expenditures by program; population and
19 service levels by program; and administrative expenditures by
20 program. The State Board of Education shall ensure that the
21 reporting requirements for a district organized under Article
22 34 of this Code are the same as for all other school districts
23 in this State.

24 (Source: P.A. 97-238, eff. 8-2-11.)

25 (105 ILCS 5/2-3.7) (from Ch. 122, par. 2-3.7)

1 Sec. 2-3.7. Legal adviser; opinions ~~of school officers~~
2 ~~Opinions~~. To be the legal adviser of regional offices of
3 education ~~school officers~~, and, when requested ~~by any school~~
4 ~~officer~~, to give an opinion in writing upon any question
5 arising under the school laws of the State.

6 (Source: P.A. 81-1508.)

7 (105 ILCS 5/2-3.22) (from Ch. 122, par. 2-3.22)

8 Sec. 2-3.22. Withholding school funds or compensation of
9 regional superintendent of schools. To require the State
10 Comptroller to withhold from the regional superintendent of
11 schools the amount due the regional superintendent of schools
12 for his compensation, until the reports, statements, books,
13 vouchers and other records provided for in Sections ~~2-3.17,~~
14 2-3.17a and 3-15.8 have been furnished.

15 (Source: P.A. 88-641, eff. 9-9-94.)

16 (105 ILCS 5/2-3.27) (from Ch. 122, par. 2-3.27)

17 Sec. 2-3.27. Budgets and accounting practices-Forms and
18 procedures.

19 To formulate and approve forms, procedure and regulations
20 for school district accounts and budgets required by this Act
21 reflecting the gross amount of income and expenses, receipts
22 and disbursements and extending a net surplus or deficit on
23 operating items, to advise and assist the officers of any
24 district in respect to budgets and accounting practices and in

1 the formulation and use of such books, records and accounts or
2 other forms as may be required to comply with the provisions of
3 this Act; to ~~publish and keep current~~ information ~~pamphlets or~~
4 ~~manuals in looseleaf form~~ relating to budgetary and accounting
5 procedure or similar topics; to make all rules and regulations
6 as may be necessary to carry into effect the provisions of this
7 Act relating to budgetary procedure and accounting, such rules
8 and regulations to include but not to be limited to the
9 establishment of a decimal classification of accounts; to
10 confer with various district, county and State officials or
11 take such other action as may be reasonably required to carry
12 out the provisions of this Act relating to budgets and
13 accounting.

14 (Source: Laws 1961, p. 31.)

15 (105 ILCS 5/2-3.53a)

16 Sec. 2-3.53a. New principal mentoring program.

17 (a) Beginning on July 1, 2007, and subject to an annual
18 appropriation by the General Assembly, to establish a new
19 principal mentoring program for new principals. Any individual
20 who is first hired as a principal on or after July 1, 2007
21 shall participate in a new principal mentoring program for the
22 duration of his or her first year as a principal and must
23 complete the program in accordance with the requirements
24 established by the State Board of Education by rule or, for a
25 school district created by Article 34 of this Code, in

1 accordance with the provisions of Section 34-18.33 ~~34-18.27~~ of
2 this Code. School districts created by Article 34 are not
3 subject to the requirements of subsection (b), (c), (d), (e),
4 (f), or (g) of this Section. Any individual who is first hired
5 as a principal on or after July 1, 2008 may participate in a
6 second year of mentoring if it is determined by the State
7 Superintendent of Education that sufficient funding exists for
8 such participation. The new principal mentoring program shall
9 match an experienced principal who meets the requirements of
10 subsection (b) of this Section with each new principal in order
11 to assist the new principal in the development of his or her
12 professional growth and to provide guidance.

13 (b) Any individual who has been a principal in Illinois for
14 3 or more years and who has demonstrated success as an
15 instructional leader, as determined by the State Board by rule,
16 is eligible to apply to be a mentor under a new principal
17 mentoring program. Mentors shall complete mentoring training
18 by entities approved by the State Board and meet any other
19 requirements set forth by the State Board and by the school
20 district employing the mentor.

21 (c) The State Board shall certify an entity or entities
22 approved to provide training of mentors.

23 (d) A mentor shall be assigned to a new principal based on
24 (i) similarity of grade level or type of school, (ii) learning
25 needs of the new principal, and (iii) geographical proximity of
26 the mentor to the new principal. The principal, in

1 collaboration with the mentor, shall identify areas for
2 improvement of the new principal's professional growth,
3 including, but not limited to, each of the following:

4 (1) Analyzing data and applying it to practice.

5 (2) Aligning professional development and
6 instructional programs.

7 (3) Building a professional learning community.

8 (4) Observing classroom practices and providing
9 feedback.

10 (5) Facilitating effective meetings.

11 (6) Developing distributive leadership practices.

12 (7) Facilitating organizational change.

13 The mentor shall not be required to provide an evaluation of
14 the new principal on the basis of the mentoring relationship.

15 (e) On or before July 1, 2008 and on or after July 1 of each
16 year thereafter, the State Board shall facilitate a review and
17 evaluate the mentoring training program in collaboration with
18 the approved providers. Each new principal and his or her
19 mentor must complete a verification form developed by the State
20 Board in order to certify their completion of a new principal
21 mentoring program.

22 (f) The requirements of this Section do not apply to any
23 individual who has previously served as an assistant principal
24 in Illinois acting under an administrative certificate for 5 or
25 more years and who is hired, on or after July 1, 2007, as a
26 principal by the school district in which the individual last

1 served as an assistant principal, although such an individual
2 may choose to participate in this program or shall be required
3 to participate by the school district.

4 (g) The State Board may adopt any rules necessary for the
5 implementation of this Section.

6 (h) On an annual basis, the State Superintendent of
7 Education shall determine whether appropriations are likely to
8 be sufficient to require operation of the mentoring program for
9 the coming year. In doing so, the State Superintendent of
10 Education shall first determine whether it is likely that funds
11 will be sufficient to require operation of the mentoring
12 program for individuals in their first year as principal and
13 shall then determine whether it is likely that funds will be
14 sufficient to require operation of the mentoring program for
15 individuals in their second year as principal.

16 (Source: P.A. 96-373, eff. 8-13-09.)

17 (105 ILCS 5/2-3.137)

18 Sec. 2-3.137. Inspection and review of school facilities~~+~~
19 ~~task force.~~

20 (a) The State Board of Education shall adopt rules for the
21 documentation of school plan reviews and inspections of school
22 facilities, including the responsible individual's signature.
23 Such documents shall be kept on file by the regional
24 superintendent of schools. The State Board of Education shall
25 also adopt rules for the qualifications of persons performing

1 the reviews and inspections, which must be consistent with the
2 recommendations in the task force's report issued to the
3 Governor and the General Assembly under subsection (b) of this
4 Section. Those qualifications shall include requirements for
5 training, education, and at least 2 years of relevant
6 experience.

7 (a-5) Rules adopted by the State Board of Education in
8 accordance with subsection (a) of this Section shall require
9 fees to be collected for use in defraying costs associated with
10 the administration of these and other provisions contained in
11 the Health/Life Safety Code for Public Schools required by
12 Section 2-3.12 of this Code.

13 (b) (Blank). ~~The State Board of Education shall convene a~~
14 ~~task force for the purpose of reviewing the documents required~~
15 ~~under rules adopted under subsection (a) of this Section and~~
16 ~~making recommendations regarding training and accreditation of~~
17 ~~individuals performing reviews or inspections required under~~
18 ~~Section 2-3.12, 3-14.20, 3-14.21, or 3-14.22 of this Code,~~
19 ~~including regional superintendents of schools and others~~
20 ~~performing reviews or inspections under the authority of a~~
21 ~~regional superintendent (such as consultants, municipalities,~~
22 ~~and fire protection districts).~~

23 ~~The task force shall consist of all of the following~~
24 ~~members:~~

25 ~~(1) The Executive Director of the Capital Development~~
26 ~~Board or his or her designee and a staff representative of~~

1 ~~the Division of Building Codes and Regulations.~~

2 ~~(2) The State Superintendent of Education or his or her~~
3 ~~designee.~~

4 ~~(3) A person appointed by the State Board of Education.~~

5 ~~(4) A person appointed by an organization representing~~
6 ~~school administrators.~~

7 ~~(5) A person appointed by an organization representing~~
8 ~~suburban school administrators and school board members.~~

9 ~~(6) A person appointed by an organization representing~~
10 ~~architects.~~

11 ~~(7) A person appointed by an organization representing~~
12 ~~regional superintendents of schools.~~

13 ~~(8) A person appointed by an organization representing~~
14 ~~fire inspectors.~~

15 ~~(9) A person appointed by an organization representing~~
16 ~~Code administrators.~~

17 ~~(10) A person appointed by an organization~~
18 ~~representing plumbing inspectors.~~

19 ~~(11) A person appointed by an organization that~~
20 ~~represents both parents and teachers.~~

21 ~~(12) A person appointed by an organization~~
22 ~~representing municipal governments in the State.~~

23 ~~(13) A person appointed by the State Fire Marshal from~~
24 ~~his or her office.~~

25 ~~(14) A person appointed by an organization~~
26 ~~representing fire chiefs.~~

1 ~~(15) The Director of Public Health or his or her~~
2 ~~designee.~~

3 ~~(16) A person appointed by an organization~~
4 ~~representing structural engineers.~~

5 ~~(17) A person appointed by an organization~~
6 ~~representing professional engineers.~~

7 ~~The task force shall issue a report of its findings to the~~
8 ~~Governor and the General Assembly no later than January 1,~~
9 ~~2006.~~

10 (Source: P.A. 95-331, eff. 8-21-07; 96-734, eff. 8-25-09.)

11 (105 ILCS 5/2-3.139)

12 Sec. 2-3.139. School wellness policies; ~~taskforce.~~

13 (a) The State Board of Education shall establish a State
14 goal that all school districts have a wellness policy that is
15 consistent with recommendations of the Centers for Disease
16 Control and Prevention (CDC), which recommendations include
17 the following:

18 (1) nutrition guidelines for all foods sold on school
19 campus during the school day;

20 (2) setting school goals for nutrition education and
21 physical activity;

22 (3) establishing community participation in creating
23 local wellness policies; and

24 (4) creating a plan for measuring implementation of
25 these wellness policies.

1 The Department of Public Health, the Department of Human
2 Services, and the State Board of Education shall form an
3 interagency working group to publish model wellness policies
4 and recommendations. Sample policies shall be based on CDC
5 recommendations for nutrition and physical activity. The State
6 Board of Education shall distribute the model wellness policies
7 to all school districts before June 1, 2006.

8 (b) (Blank). ~~There is created the School Wellness Policy~~
9 ~~Taskforce, consisting of the following members:~~

10 ~~(1) One member representing the State Board of~~
11 ~~Education, appointed by the State Board of Education.~~

12 ~~(2) One member representing the Department of Public~~
13 ~~Health, appointed by the Director of Public Health.~~

14 ~~(3) One member representing the Department of Human~~
15 ~~Services, appointed by the Secretary of Human Services.~~

16 ~~(4) One member of an organization representing the~~
17 ~~interests of school nurses in this State, appointed by the~~
18 ~~interagency working group.~~

19 ~~(5) One member of an organization representing the~~
20 ~~interests of school administrators in this State,~~
21 ~~appointed by the interagency working group.~~

22 ~~(6) One member of an organization representing the~~
23 ~~interests of school boards in this State, appointed by the~~
24 ~~interagency working group.~~

25 ~~(7) One member of an organization representing the~~
26 ~~interests of regional superintendents of schools in this~~

1 ~~State, appointed by the interagency working group.~~

2 ~~(8) One member of an organization representing the~~
3 ~~interests of parent-teacher associations in this State,~~
4 ~~appointed by the interagency working group.~~

5 ~~(9) One member of an organization representing the~~
6 ~~interests of pediatricians in this State, appointed by the~~
7 ~~interagency working group.~~

8 ~~(10) One member of an organization representing the~~
9 ~~interests of dentists in this State, appointed by the~~
10 ~~interagency working group.~~

11 ~~(11) One member of an organization representing the~~
12 ~~interests of dieticians in this State, appointed by the~~
13 ~~interagency working group.~~

14 ~~(12) One member of an organization that has an interest~~
15 ~~and expertise in heart disease, appointed by the~~
16 ~~interagency working group.~~

17 ~~(13) One member of an organization that has an interest~~
18 ~~and expertise in cancer, appointed by the interagency~~
19 ~~working group.~~

20 ~~(14) One member of an organization that has an interest~~
21 ~~and expertise in childhood obesity, appointed by the~~
22 ~~interagency working group.~~

23 ~~(15) One member of an organization that has an interest~~
24 ~~and expertise in the importance of physical education and~~
25 ~~recreation in preventing disease, appointed by the~~
26 ~~interagency working group.~~

1 ~~(16) One member of an organization that has an interest~~
2 ~~and expertise in school food service, appointed by the~~
3 ~~interagency working group.~~

4 ~~(17) One member of an organization that has an interest~~
5 ~~and expertise in school health, appointed by the~~
6 ~~interagency working group.~~

7 ~~(18) One member of an organization that campaigns for~~
8 ~~programs and policies for healthier school environments,~~
9 ~~appointed by the interagency working group.~~

10 ~~(19) One at-large member with a doctorate in nutrition,~~
11 ~~appointed by the State Board of Education.~~

12 ~~Members of the taskforce shall serve without compensation.~~
13 ~~The taskforce shall meet at the call of the State Board of~~
14 ~~Education. The taskforce shall report its identification of~~
15 ~~barriers to implementing school wellness policies and its~~
16 ~~recommendations to reduce those barriers to the General~~
17 ~~Assembly and the Governor on or before January 1, 2006. The~~
18 ~~taskforce shall report its recommendations on statewide school~~
19 ~~nutrition standards to the General Assembly and the Governor on~~
20 ~~or before January 1, 2007. The taskforce shall report its~~
21 ~~evaluation of the effectiveness of school wellness policies to~~
22 ~~the General Assembly and the Governor on or before January 1,~~
23 ~~2008. The evaluation shall review a sample size of 5 to 10~~
24 ~~school districts. Reports shall be made to the General Assembly~~
25 ~~by filing copies of each report as provided in Section 3.1 of~~
26 ~~the General Assembly Organization Act. Upon the filing of the~~

1 ~~last report, the taskforce is dissolved.~~

2 (c) The State Board of Education may adopt any rules
3 necessary to implement this Section.

4 (d) Nothing in this Section may be construed as a
5 curricular mandate on any school district.

6 (Source: P.A. 94-199, eff. 7-12-05; 95-331, eff. 8-21-07.)

7 (105 ILCS 5/10-22.31a) (from Ch. 122, par. 10-22.31a)

8 Sec. 10-22.31a. Joint educational programs. To enter into
9 joint agreements with other school boards or public
10 institutions of higher education to establish any type of
11 educational program which any district may establish
12 individually, to provide the needed educational facilities and
13 to employ a director and other professional workers for such
14 program. The director and other professional workers may be
15 employed by one district which shall be reimbursed on a
16 mutually agreed basis by other districts that are parties to
17 the joint agreement. Such agreements may provide that one
18 district may supply professional workers for a joint program
19 conducted in another district. Such agreement shall ~~be executed~~
20 ~~on forms provided by the State Board of Education and shall~~
21 include, but not be limited to, provisions for administration,
22 staff, programs, financing, housing, transportation and
23 advisory body and provide for the withdrawal of districts from
24 the joint agreement by petition to the regional board of school
25 trustees. Such petitions for withdrawal shall be made to the

1 regional board of school trustees of the region having
2 supervision and control over the administrative district and
3 shall be acted upon in the manner provided in Article 7 for the
4 detachment of territory from a school district.

5 To designate an administrative district to act as fiscal
6 and legal agent for the districts that are parties to such a
7 joint agreement.

8 (Source: P.A. 86-198; 86-1318.)

9 (105 ILCS 5/18-4.5)

10 Sec. 18-4.5. Home Hospital Grants. Except for those
11 children qualifying under Article 14, school districts shall be
12 eligible to receive reimbursement for all children requiring
13 home or hospital instruction at not more than \$1,000 annually
14 per child or \$9,000 ~~\$8,000~~ per teacher, whichever is less.

15 (Source: P.A. 88-386.)

16 (105 ILCS 5/18-6) (from Ch. 122, par. 18-6)

17 Sec. 18-6. Supervisory expenses. The State Board of
18 Education shall annually request an appropriation ~~from the~~
19 ~~common school fund~~ for regional office of education expenses,
20 aggregating \$1,000 per county per year for each educational
21 service region. The State Board of Education shall present
22 vouchers to the Comptroller as soon as may be after the first
23 day of August each year for each regional office of education.
24 Each regional office of education may draw upon these funds

1 ~~this fund~~ for the expenses necessarily incurred in providing
2 for supervisory services in the region.

3 (Source: P.A. 88-9; 89-397, eff. 8-20-95.)

4 (105 ILCS 5/18-8.05)

5 Sec. 18-8.05. Basis for apportionment of general State
6 financial aid and supplemental general State aid to the common
7 schools for the 1998-1999 and subsequent school years.

8 (A) General Provisions.

9 (1) The provisions of this Section apply to the 1998-1999
10 and subsequent school years. The system of general State
11 financial aid provided for in this Section is designed to
12 assure that, through a combination of State financial aid and
13 required local resources, the financial support provided each
14 pupil in Average Daily Attendance equals or exceeds a
15 prescribed per pupil Foundation Level. This formula approach
16 imputes a level of per pupil Available Local Resources and
17 provides for the basis to calculate a per pupil level of
18 general State financial aid that, when added to Available Local
19 Resources, equals or exceeds the Foundation Level. The amount
20 of per pupil general State financial aid for school districts,
21 in general, varies in inverse relation to Available Local
22 Resources. Per pupil amounts are based upon each school
23 district's Average Daily Attendance as that term is defined in
24 this Section.

1 (2) In addition to general State financial aid, school
2 districts with specified levels or concentrations of pupils
3 from low income households are eligible to receive supplemental
4 general State financial aid grants as provided pursuant to
5 subsection (H). The supplemental State aid grants provided for
6 school districts under subsection (H) shall be appropriated for
7 distribution to school districts as part of the same line item
8 in which the general State financial aid of school districts is
9 appropriated under this Section.

10 (3) To receive financial assistance under this Section,
11 school districts are required to file claims with the State
12 Board of Education, subject to the following requirements:

13 (a) Any school district which fails for any given
14 school year to maintain school as required by law, or to
15 maintain a recognized school is not eligible to file for
16 such school year any claim upon the Common School Fund. In
17 case of nonrecognition of one or more attendance centers in
18 a school district otherwise operating recognized schools,
19 the claim of the district shall be reduced in the
20 proportion which the Average Daily Attendance in the
21 attendance center or centers bear to the Average Daily
22 Attendance in the school district. A "recognized school"
23 means any public school which meets the standards as
24 established for recognition by the State Board of
25 Education. A school district or attendance center not
26 having recognition status at the end of a school term is

1 entitled to receive State aid payments due upon a legal
2 claim which was filed while it was recognized.

3 (b) School district claims filed under this Section are
4 subject to Sections 18-9 and 18-12, except as otherwise
5 provided in this Section.

6 (c) If a school district operates a full year school
7 under Section 10-19.1, the general State aid to the school
8 district shall be determined by the State Board of
9 Education in accordance with this Section as near as may be
10 applicable.

11 (d) (Blank).

12 (4) Except as provided in subsections (H) and (L), the
13 board of any district receiving any of the grants provided for
14 in this Section may apply those funds to any fund so received
15 for which that board is authorized to make expenditures by law.

16 School districts are not required to exert a minimum
17 Operating Tax Rate in order to qualify for assistance under
18 this Section.

19 (5) As used in this Section the following terms, when
20 capitalized, shall have the meaning ascribed herein:

21 (a) "Average Daily Attendance": A count of pupil
22 attendance in school, averaged as provided for in
23 subsection (C) and utilized in deriving per pupil financial
24 support levels.

25 (b) "Available Local Resources": A computation of
26 local financial support, calculated on the basis of Average

1 Daily Attendance and derived as provided pursuant to
2 subsection (D).

3 (c) "Corporate Personal Property Replacement Taxes":
4 Funds paid to local school districts pursuant to "An Act in
5 relation to the abolition of ad valorem personal property
6 tax and the replacement of revenues lost thereby, and
7 amending and repealing certain Acts and parts of Acts in
8 connection therewith", certified August 14, 1979, as
9 amended (Public Act 81-1st S.S.-1).

10 (d) "Foundation Level": A prescribed level of per pupil
11 financial support as provided for in subsection (B).

12 (e) "Operating Tax Rate": All school district property
13 taxes extended for all purposes, except Bond and Interest,
14 Summer School, Rent, Capital Improvement, and Vocational
15 Education Building purposes.

16 (B) Foundation Level.

17 (1) The Foundation Level is a figure established by the
18 State representing the minimum level of per pupil financial
19 support that should be available to provide for the basic
20 education of each pupil in Average Daily Attendance. As set
21 forth in this Section, each school district is assumed to exert
22 a sufficient local taxing effort such that, in combination with
23 the aggregate of general State financial aid provided the
24 district, an aggregate of State and local resources are
25 available to meet the basic education needs of pupils in the

1 district.

2 (2) For the 1998-1999 school year, the Foundation Level of
3 support is \$4,225. For the 1999-2000 school year, the
4 Foundation Level of support is \$4,325. For the 2000-2001 school
5 year, the Foundation Level of support is \$4,425. For the
6 2001-2002 school year and 2002-2003 school year, the Foundation
7 Level of support is \$4,560. For the 2003-2004 school year, the
8 Foundation Level of support is \$4,810. For the 2004-2005 school
9 year, the Foundation Level of support is \$4,964. For the
10 2005-2006 school year, the Foundation Level of support is
11 \$5,164. For the 2006-2007 school year, the Foundation Level of
12 support is \$5,334. For the 2007-2008 school year, the
13 Foundation Level of support is \$5,734. For the 2008-2009 school
14 year, the Foundation Level of support is \$5,959.

15 (3) For the 2009-2010 school year and each school year
16 thereafter, the Foundation Level of support is \$6,119 or such
17 greater amount as may be established by law by the General
18 Assembly.

19 (C) Average Daily Attendance.

20 (1) For purposes of calculating general State aid pursuant
21 to subsection (E), an Average Daily Attendance figure shall be
22 utilized. The Average Daily Attendance figure for formula
23 calculation purposes shall be the monthly average of the actual
24 number of pupils in attendance of each school district, as
25 further averaged for the best 3 months of pupil attendance for

1 each school district. In compiling the figures for the number
2 of pupils in attendance, school districts and the State Board
3 of Education shall, for purposes of general State aid funding,
4 conform attendance figures to the requirements of subsection
5 (F).

6 (2) The Average Daily Attendance figures utilized in
7 subsection (E) shall be the requisite attendance data for the
8 school year immediately preceding the school year for which
9 general State aid is being calculated or the average of the
10 attendance data for the 3 preceding school years, whichever is
11 greater. The Average Daily Attendance figures utilized in
12 subsection (H) shall be the requisite attendance data for the
13 school year immediately preceding the school year for which
14 general State aid is being calculated.

15 (D) Available Local Resources.

16 (1) For purposes of calculating general State aid pursuant
17 to subsection (E), a representation of Available Local
18 Resources per pupil, as that term is defined and determined in
19 this subsection, shall be utilized. Available Local Resources
20 per pupil shall include a calculated dollar amount representing
21 local school district revenues from local property taxes and
22 from Corporate Personal Property Replacement Taxes, expressed
23 on the basis of pupils in Average Daily Attendance. Calculation
24 of Available Local Resources shall exclude any tax amnesty
25 funds received as a result of Public Act 93-26.

1 (2) In determining a school district's revenue from local
2 property taxes, the State Board of Education shall utilize the
3 equalized assessed valuation of all taxable property of each
4 school district as of September 30 of the previous year. The
5 equalized assessed valuation utilized shall be obtained and
6 determined as provided in subsection (G).

7 (3) For school districts maintaining grades kindergarten
8 through 12, local property tax revenues per pupil shall be
9 calculated as the product of the applicable equalized assessed
10 valuation for the district multiplied by 3.00%, and divided by
11 the district's Average Daily Attendance figure. For school
12 districts maintaining grades kindergarten through 8, local
13 property tax revenues per pupil shall be calculated as the
14 product of the applicable equalized assessed valuation for the
15 district multiplied by 2.30%, and divided by the district's
16 Average Daily Attendance figure. For school districts
17 maintaining grades 9 through 12, local property tax revenues
18 per pupil shall be the applicable equalized assessed valuation
19 of the district multiplied by 1.05%, and divided by the
20 district's Average Daily Attendance figure.

21 For partial elementary unit districts created pursuant to
22 Article 11E of this Code, local property tax revenues per pupil
23 shall be calculated as the product of the equalized assessed
24 valuation for property within the partial elementary unit
25 district for elementary purposes, as defined in Article 11E of
26 this Code, multiplied by 2.06% and divided by the district's

1 Average Daily Attendance figure, plus the product of the
2 equalized assessed valuation for property within the partial
3 elementary unit district for high school purposes, as defined
4 in Article 11E of this Code, multiplied by 0.94% and divided by
5 the district's Average Daily Attendance figure.

6 (4) The Corporate Personal Property Replacement Taxes paid
7 to each school district during the calendar year one year
8 before the calendar year in which a school year begins, divided
9 by the Average Daily Attendance figure for that district, shall
10 be added to the local property tax revenues per pupil as
11 derived by the application of the immediately preceding
12 paragraph (3). The sum of these per pupil figures for each
13 school district shall constitute Available Local Resources as
14 that term is utilized in subsection (E) in the calculation of
15 general State aid.

16 (E) Computation of General State Aid.

17 (1) For each school year, the amount of general State aid
18 allotted to a school district shall be computed by the State
19 Board of Education as provided in this subsection.

20 (2) For any school district for which Available Local
21 Resources per pupil is less than the product of 0.93 times the
22 Foundation Level, general State aid for that district shall be
23 calculated as an amount equal to the Foundation Level minus
24 Available Local Resources, multiplied by the Average Daily
25 Attendance of the school district.

1 (3) For any school district for which Available Local
2 Resources per pupil is equal to or greater than the product of
3 0.93 times the Foundation Level and less than the product of
4 1.75 times the Foundation Level, the general State aid per
5 pupil shall be a decimal proportion of the Foundation Level
6 derived using a linear algorithm. Under this linear algorithm,
7 the calculated general State aid per pupil shall decline in
8 direct linear fashion from 0.07 times the Foundation Level for
9 a school district with Available Local Resources equal to the
10 product of 0.93 times the Foundation Level, to 0.05 times the
11 Foundation Level for a school district with Available Local
12 Resources equal to the product of 1.75 times the Foundation
13 Level. The allocation of general State aid for school districts
14 subject to this paragraph 3 shall be the calculated general
15 State aid per pupil figure multiplied by the Average Daily
16 Attendance of the school district.

17 (4) For any school district for which Available Local
18 Resources per pupil equals or exceeds the product of 1.75 times
19 the Foundation Level, the general State aid for the school
20 district shall be calculated as the product of \$218 multiplied
21 by the Average Daily Attendance of the school district.

22 (5) The amount of general State aid allocated to a school
23 district for the 1999-2000 school year meeting the requirements
24 set forth in paragraph (4) of subsection (G) shall be increased
25 by an amount equal to the general State aid that would have
26 been received by the district for the 1998-1999 school year by

1 utilizing the Extension Limitation Equalized Assessed
2 Valuation as calculated in paragraph (4) of subsection (G) less
3 the general State aid allotted for the 1998-1999 school year.
4 This amount shall be deemed a one time increase, and shall not
5 affect any future general State aid allocations.

6 (F) Compilation of Average Daily Attendance.

7 (1) Each school district shall, by July 1 of each year,
8 submit to the State Board of Education, on forms prescribed by
9 the State Board of Education, attendance figures for the school
10 year that began in the preceding calendar year. The attendance
11 information so transmitted shall identify the average daily
12 attendance figures for each month of the school year. Beginning
13 with the general State aid claim form for the 2002-2003 school
14 year, districts shall calculate Average Daily Attendance as
15 provided in subdivisions (a), (b), and (c) of this paragraph
16 (1).

17 (a) In districts that do not hold year-round classes,
18 days of attendance in August shall be added to the month of
19 September and any days of attendance in June shall be added
20 to the month of May.

21 (b) In districts in which all buildings hold year-round
22 classes, days of attendance in July and August shall be
23 added to the month of September and any days of attendance
24 in June shall be added to the month of May.

25 (c) In districts in which some buildings, but not all,

1 hold year-round classes, for the non-year-round buildings,
2 days of attendance in August shall be added to the month of
3 September and any days of attendance in June shall be added
4 to the month of May. The average daily attendance for the
5 year-round buildings shall be computed as provided in
6 subdivision (b) of this paragraph (1). To calculate the
7 Average Daily Attendance for the district, the average
8 daily attendance for the year-round buildings shall be
9 multiplied by the days in session for the non-year-round
10 buildings for each month and added to the monthly
11 attendance of the non-year-round buildings.

12 Except as otherwise provided in this Section, days of
13 attendance by pupils shall be counted only for sessions of not
14 less than 5 clock hours of school work per day under direct
15 supervision of: (i) teachers, or (ii) non-teaching personnel or
16 volunteer personnel when engaging in non-teaching duties and
17 supervising in those instances specified in subsection (a) of
18 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
19 of legal school age and in kindergarten and grades 1 through
20 12.

21 Days of attendance by tuition pupils shall be accredited
22 only to the districts that pay the tuition to a recognized
23 school.

24 (2) Days of attendance by pupils of less than 5 clock hours
25 of school shall be subject to the following provisions in the
26 compilation of Average Daily Attendance.

1 (a) Pupils regularly enrolled in a public school for
2 only a part of the school day may be counted on the basis
3 of 1/6 day for every class hour of instruction of 40
4 minutes or more attended pursuant to such enrollment,
5 unless a pupil is enrolled in a block-schedule format of 80
6 minutes or more of instruction, in which case the pupil may
7 be counted on the basis of the proportion of minutes of
8 school work completed each day to the minimum number of
9 minutes that school work is required to be held that day.

10 (b) Days of attendance may be less than 5 clock hours
11 on the opening and closing of the school term, and upon the
12 first day of pupil attendance, if preceded by a day or days
13 utilized as an institute or teachers' workshop.

14 (c) A session of 4 or more clock hours may be counted
15 as a day of attendance upon certification by the regional
16 superintendent, and approved by the State Superintendent
17 of Education to the extent that the district has been
18 forced to use daily multiple sessions.

19 (d) A session of 3 or more clock hours may be counted
20 as a day of attendance (1) when the remainder of the school
21 day or at least 2 hours in the evening of that day is
22 utilized for an in-service training program for teachers,
23 up to a maximum of 5 days per school year, provided a
24 district conducts an in-service training program for
25 teachers in accordance with Section 10-22.39 of this Code;
26 or, in lieu of 4 such days, 2 full days may be used, in

1 which event each such day may be counted as a day required
2 for a legal school calendar pursuant to Section 10-19 of
3 this Code; (1.5) when, of the 5 days allowed under item
4 (1), a maximum of 4 days are used for parent-teacher
5 conferences, or, in lieu of 4 such days, 2 full days are
6 used, in which case each such day may be counted as a
7 calendar day required under Section 10-19 of this Code,
8 provided that the full-day, parent-teacher conference
9 consists of (i) a minimum of 5 clock hours of
10 parent-teacher conferences, (ii) both a minimum of 2 clock
11 hours of parent-teacher conferences held in the evening
12 following a full day of student attendance, as specified in
13 subsection (F)(1)(c), and a minimum of 3 clock hours of
14 parent-teacher conferences held on the day immediately
15 following evening parent-teacher conferences, or (iii)
16 multiple parent-teacher conferences held in the evenings
17 following full days of student attendance, as specified in
18 subsection (F)(1)(c), in which the time used for the
19 parent-teacher conferences is equivalent to a minimum of 5
20 clock hours; and (2) when days in addition to those
21 provided in items (1) and (1.5) are scheduled by a school
22 pursuant to its school improvement plan adopted under
23 Article 34 or its revised or amended school improvement
24 plan adopted under Article 2, provided that (i) such
25 sessions of 3 or more clock hours are scheduled to occur at
26 regular intervals, (ii) the remainder of the school days in

1 which such sessions occur are utilized for in-service
2 training programs or other staff development activities
3 for teachers, and (iii) a sufficient number of minutes of
4 school work under the direct supervision of teachers are
5 added to the school days between such regularly scheduled
6 sessions to accumulate not less than the number of minutes
7 by which such sessions of 3 or more clock hours fall short
8 of 5 clock hours. Any full days used for the purposes of
9 this paragraph shall not be considered for computing
10 average daily attendance. Days scheduled for in-service
11 training programs, staff development activities, or
12 parent-teacher conferences may be scheduled separately for
13 different grade levels and different attendance centers of
14 the district.

15 (e) A session of not less than one clock hour of
16 teaching hospitalized or homebound pupils on-site or by
17 telephone to the classroom may be counted as 1/2 day of
18 attendance, however these pupils must receive 4 or more
19 clock hours of instruction to be counted for a full day of
20 attendance.

21 (f) A session of at least 4 clock hours may be counted
22 as a day of attendance for first grade pupils, and pupils
23 in full day kindergartens, and a session of 2 or more hours
24 may be counted as 1/2 day of attendance by pupils in
25 kindergartens which provide only 1/2 day of attendance.

26 (g) For children with disabilities who are below the

1 age of 6 years and who cannot attend 2 or more clock hours
2 because of their disability or immaturity, a session of not
3 less than one clock hour may be counted as 1/2 day of
4 attendance; however for such children whose educational
5 needs so require a session of 4 or more clock hours may be
6 counted as a full day of attendance.

7 (h) A recognized kindergarten which provides for only
8 1/2 day of attendance by each pupil shall not have more
9 than 1/2 day of attendance counted in any one day. However,
10 kindergartens may count 2 1/2 days of attendance in any 5
11 consecutive school days. When a pupil attends such a
12 kindergarten for 2 half days on any one school day, the
13 pupil shall have the following day as a day absent from
14 school, unless the school district obtains permission in
15 writing from the State Superintendent of Education.
16 Attendance at kindergartens which provide for a full day of
17 attendance by each pupil shall be counted the same as
18 attendance by first grade pupils. Only the first year of
19 attendance in one kindergarten shall be counted, except in
20 case of children who entered the kindergarten in their
21 fifth year whose educational development requires a second
22 year of kindergarten as determined under the rules and
23 regulations of the State Board of Education.

24 (i) On the days when the Prairie State Achievement
25 Examination is administered under subsection (c) of
26 Section 2-3.64 of this Code, the day of attendance for a

1 pupil whose school day must be shortened to accommodate
2 required testing procedures may be less than 5 clock hours
3 and shall be counted towards the 176 days of actual pupil
4 attendance required under Section 10-19 of this Code,
5 provided that a sufficient number of minutes of school work
6 in excess of 5 clock hours are first completed on other
7 school days to compensate for the loss of school work on
8 the examination days.

9 (j) Pupils enrolled in a remote educational program
10 established under Section 10-29 of this Code may be counted
11 on the basis of one-fifth day of attendance for every clock
12 hour of instruction attended in the remote educational
13 program, provided that, in any month, the school district
14 may not claim for a student enrolled in a remote
15 educational program more days of attendance than the
16 maximum number of days of attendance the district can claim

17 (i) for students enrolled in a building holding year-round
18 classes if the student is classified as participating in
19 the remote educational program on a year-round schedule or

20 (ii) for students enrolled in a building not holding
21 year-round classes if the student is not classified as
22 participating in the remote educational program on a
23 year-round schedule.

24 (G) Equalized Assessed Valuation Data.

25 (1) For purposes of the calculation of Available Local

1 Resources required pursuant to subsection (D), the State Board
2 of Education shall secure from the Department of Revenue the
3 value as equalized or assessed by the Department of Revenue of
4 all taxable property of every school district, together with
5 (i) the applicable tax rate used in extending taxes for the
6 funds of the district as of September 30 of the previous year
7 and (ii) the limiting rate for all school districts subject to
8 property tax extension limitations as imposed under the
9 Property Tax Extension Limitation Law.

10 The Department of Revenue shall add to the equalized
11 assessed value of all taxable property of each school district
12 situated entirely or partially within a county that is or was
13 subject to the provisions of Section 15-176 or 15-177 of the
14 Property Tax Code (a) an amount equal to the total amount by
15 which the homestead exemption allowed under Section 15-176 or
16 15-177 of the Property Tax Code for real property situated in
17 that school district exceeds the total amount that would have
18 been allowed in that school district if the maximum reduction
19 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in
20 all other counties in tax year 2003 or (ii) \$5,000 in all
21 counties in tax year 2004 and thereafter and (b) an amount
22 equal to the aggregate amount for the taxable year of all
23 additional exemptions under Section 15-175 of the Property Tax
24 Code for owners with a household income of \$30,000 or less. The
25 county clerk of any county that is or was subject to the
26 provisions of Section 15-176 or 15-177 of the Property Tax Code

1 shall annually calculate and certify to the Department of
2 Revenue for each school district all homestead exemption
3 amounts under Section 15-176 or 15-177 of the Property Tax Code
4 and all amounts of additional exemptions under Section 15-175
5 of the Property Tax Code for owners with a household income of
6 \$30,000 or less. It is the intent of this paragraph that if the
7 general homestead exemption for a parcel of property is
8 determined under Section 15-176 or 15-177 of the Property Tax
9 Code rather than Section 15-175, then the calculation of
10 Available Local Resources shall not be affected by the
11 difference, if any, between the amount of the general homestead
12 exemption allowed for that parcel of property under Section
13 15-176 or 15-177 of the Property Tax Code and the amount that
14 would have been allowed had the general homestead exemption for
15 that parcel of property been determined under Section 15-175 of
16 the Property Tax Code. It is further the intent of this
17 paragraph that if additional exemptions are allowed under
18 Section 15-175 of the Property Tax Code for owners with a
19 household income of less than \$30,000, then the calculation of
20 Available Local Resources shall not be affected by the
21 difference, if any, because of those additional exemptions.

22 This equalized assessed valuation, as adjusted further by
23 the requirements of this subsection, shall be utilized in the
24 calculation of Available Local Resources.

25 (2) The equalized assessed valuation in paragraph (1) shall
26 be adjusted, as applicable, in the following manner:

1 (a) For the purposes of calculating State aid under
2 this Section, with respect to any part of a school district
3 within a redevelopment project area in respect to which a
4 municipality has adopted tax increment allocation
5 financing pursuant to the Tax Increment Allocation
6 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11
7 of the Illinois Municipal Code or the Industrial Jobs
8 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the
9 Illinois Municipal Code, no part of the current equalized
10 assessed valuation of real property located in any such
11 project area which is attributable to an increase above the
12 total initial equalized assessed valuation of such
13 property shall be used as part of the equalized assessed
14 valuation of the district, until such time as all
15 redevelopment project costs have been paid, as provided in
16 Section 11-74.4-8 of the Tax Increment Allocation
17 Redevelopment Act or in Section 11-74.6-35 of the
18 Industrial Jobs Recovery Law. For the purpose of the
19 equalized assessed valuation of the district, the total
20 initial equalized assessed valuation or the current
21 equalized assessed valuation, whichever is lower, shall be
22 used until such time as all redevelopment project costs
23 have been paid.

24 (b) The real property equalized assessed valuation for
25 a school district shall be adjusted by subtracting from the
26 real property value as equalized or assessed by the

1 Department of Revenue for the district an amount computed
2 by dividing the amount of any abatement of taxes under
3 Section 18-170 of the Property Tax Code by 3.00% for a
4 district maintaining grades kindergarten through 12, by
5 2.30% for a district maintaining grades kindergarten
6 through 8, or by 1.05% for a district maintaining grades 9
7 through 12 and adjusted by an amount computed by dividing
8 the amount of any abatement of taxes under subsection (a)
9 of Section 18-165 of the Property Tax Code by the same
10 percentage rates for district type as specified in this
11 subparagraph (b).

12 (3) For the 1999-2000 school year and each school year
13 thereafter, if a school district meets all of the criteria of
14 this subsection (G) (3), the school district's Available Local
15 Resources shall be calculated under subsection (D) using the
16 district's Extension Limitation Equalized Assessed Valuation
17 as calculated under this subsection (G) (3).

18 For purposes of this subsection (G) (3) the following terms
19 shall have the following meanings:

20 "Budget Year": The school year for which general State
21 aid is calculated and awarded under subsection (E).

22 "Base Tax Year": The property tax levy year used to
23 calculate the Budget Year allocation of general State aid.

24 "Preceding Tax Year": The property tax levy year
25 immediately preceding the Base Tax Year.

26 "Base Tax Year's Tax Extension": The product of the

1 equalized assessed valuation utilized by the County Clerk
2 in the Base Tax Year multiplied by the limiting rate as
3 calculated by the County Clerk and defined in the Property
4 Tax Extension Limitation Law.

5 "Preceding Tax Year's Tax Extension": The product of
6 the equalized assessed valuation utilized by the County
7 Clerk in the Preceding Tax Year multiplied by the Operating
8 Tax Rate as defined in subsection (A).

9 "Extension Limitation Ratio": A numerical ratio,
10 certified by the County Clerk, in which the numerator is
11 the Base Tax Year's Tax Extension and the denominator is
12 the Preceding Tax Year's Tax Extension.

13 "Operating Tax Rate": The operating tax rate as defined
14 in subsection (A).

15 If a school district is subject to property tax extension
16 limitations as imposed under the Property Tax Extension
17 Limitation Law, the State Board of Education shall calculate
18 the Extension Limitation Equalized Assessed Valuation of that
19 district. For the 1999-2000 school year, the Extension
20 Limitation Equalized Assessed Valuation of a school district as
21 calculated by the State Board of Education shall be equal to
22 the product of the district's 1996 Equalized Assessed Valuation
23 and the district's Extension Limitation Ratio. Except as
24 otherwise provided in this paragraph for a school district that
25 has approved or does approve an increase in its limiting rate,
26 for the 2000-2001 school year and each school year thereafter,

1 the Extension Limitation Equalized Assessed Valuation of a
2 school district as calculated by the State Board of Education
3 shall be equal to the product of the Equalized Assessed
4 Valuation last used in the calculation of general State aid and
5 the district's Extension Limitation Ratio. If the Extension
6 Limitation Equalized Assessed Valuation of a school district as
7 calculated under this subsection (G)(3) is less than the
8 district's equalized assessed valuation as calculated pursuant
9 to subsections (G)(1) and (G)(2), then for purposes of
10 calculating the district's general State aid for the Budget
11 Year pursuant to subsection (E), that Extension Limitation
12 Equalized Assessed Valuation shall be utilized to calculate the
13 district's Available Local Resources under subsection (D). For
14 the 2009-2010 school year and each school year thereafter, if a
15 school district has approved or does approve an increase in its
16 limiting rate, pursuant to Section 18-190 of the Property Tax
17 Code, affecting the Base Tax Year, the Extension Limitation
18 Equalized Assessed Valuation of the school district, as
19 calculated by the State Board of Education, shall be equal to
20 the product of the Equalized Assessed Valuation last used in
21 the calculation of general State aid times an amount equal to
22 one plus the percentage increase, if any, in the Consumer Price
23 Index for all Urban Consumers for all items published by the
24 United States Department of Labor for the 12-month calendar
25 year preceding the Base Tax Year, plus the Equalized Assessed
26 Valuation of new property, annexed property, and recovered tax

1 increment value and minus the Equalized Assessed Valuation of
2 disconnected property. New property and recovered tax
3 increment value shall have the meanings set forth in the
4 Property Tax Extension Limitation Law.

5 Partial elementary unit districts created in accordance
6 with Article 11E of this Code shall not be eligible for the
7 adjustment in this subsection (G)(3) until the fifth year
8 following the effective date of the reorganization.

9 (3.5) For the 2010-2011 school year and each school year
10 thereafter, if a school district's boundaries span multiple
11 counties, then the Department of Revenue shall send to the
12 State Board of Education, for the purpose of calculating
13 general State aid, the limiting rate and individual rates by
14 purpose for the county that contains the majority of the school
15 district's Equalized Assessed Valuation.

16 (4) For the purposes of calculating general State aid for
17 the 1999-2000 school year only, if a school district
18 experienced a triennial reassessment on the equalized assessed
19 valuation used in calculating its general State financial aid
20 apportionment for the 1998-1999 school year, the State Board of
21 Education shall calculate the Extension Limitation Equalized
22 Assessed Valuation that would have been used to calculate the
23 district's 1998-1999 general State aid. This amount shall equal
24 the product of the equalized assessed valuation used to
25 calculate general State aid for the 1997-1998 school year and
26 the district's Extension Limitation Ratio. If the Extension

1 Limitation Equalized Assessed Valuation of the school district
2 as calculated under this paragraph (4) is less than the
3 district's equalized assessed valuation utilized in
4 calculating the district's 1998-1999 general State aid
5 allocation, then for purposes of calculating the district's
6 general State aid pursuant to paragraph (5) of subsection (E),
7 that Extension Limitation Equalized Assessed Valuation shall
8 be utilized to calculate the district's Available Local
9 Resources.

10 (5) For school districts having a majority of their
11 equalized assessed valuation in any county except Cook, DuPage,
12 Kane, Lake, McHenry, or Will, if the amount of general State
13 aid allocated to the school district for the 1999-2000 school
14 year under the provisions of subsection (E), (H), and (J) of
15 this Section is less than the amount of general State aid
16 allocated to the district for the 1998-1999 school year under
17 these subsections, then the general State aid of the district
18 for the 1999-2000 school year only shall be increased by the
19 difference between these amounts. The total payments made under
20 this paragraph (5) shall not exceed \$14,000,000. Claims shall
21 be prorated if they exceed \$14,000,000.

22 (H) Supplemental General State Aid.

23 (1) In addition to the general State aid a school district
24 is allotted pursuant to subsection (E), qualifying school
25 districts shall receive a grant, paid in conjunction with a

1 district's payments of general State aid, for supplemental
2 general State aid based upon the concentration level of
3 children from low-income households within the school
4 district. Supplemental State aid grants provided for school
5 districts under this subsection shall be appropriated for
6 distribution to school districts as part of the same line item
7 in which the general State financial aid of school districts is
8 appropriated under this Section.

9 (1.5) This paragraph (1.5) applies only to those school
10 years preceding the 2003-2004 school year. For purposes of this
11 subsection (H), the term "Low-Income Concentration Level"
12 shall be the low-income eligible pupil count from the most
13 recently available federal census divided by the Average Daily
14 Attendance of the school district. If, however, (i) the
15 percentage decrease from the 2 most recent federal censuses in
16 the low-income eligible pupil count of a high school district
17 with fewer than 400 students exceeds by 75% or more the
18 percentage change in the total low-income eligible pupil count
19 of contiguous elementary school districts, whose boundaries
20 are coterminous with the high school district, or (ii) a high
21 school district within 2 counties and serving 5 elementary
22 school districts, whose boundaries are coterminous with the
23 high school district, has a percentage decrease from the 2 most
24 recent federal censuses in the low-income eligible pupil count
25 and there is a percentage increase in the total low-income
26 eligible pupil count of a majority of the elementary school

1 districts in excess of 50% from the 2 most recent federal
2 censuses, then the high school district's low-income eligible
3 pupil count from the earlier federal census shall be the number
4 used as the low-income eligible pupil count for the high school
5 district, for purposes of this subsection (H). The changes made
6 to this paragraph (1) by Public Act 92-28 shall apply to
7 supplemental general State aid grants for school years
8 preceding the 2003-2004 school year that are paid in fiscal
9 year 1999 or thereafter and to any State aid payments made in
10 fiscal year 1994 through fiscal year 1998 pursuant to
11 subsection 1(n) of Section 18-8 of this Code (which was
12 repealed on July 1, 1998), and any high school district that is
13 affected by Public Act 92-28 is entitled to a recomputation of
14 its supplemental general State aid grant or State aid paid in
15 any of those fiscal years. This recomputation shall not be
16 affected by any other funding.

17 (1.10) This paragraph (1.10) applies to the 2003-2004
18 school year and each school year thereafter. For purposes of
19 this subsection (H), the term "Low-Income Concentration Level"
20 shall, for each fiscal year, be the low-income eligible pupil
21 count as of July 1 of the immediately preceding fiscal year (as
22 determined by the Department of Human Services based on the
23 number of pupils who are eligible for at least one of the
24 following low income programs: Medicaid, the Children's Health
25 Insurance Program, TANF, or Food Stamps, excluding pupils who
26 are eligible for services provided by the Department of

1 Children and Family Services, averaged over the 2 immediately
2 preceding fiscal years for fiscal year 2004 and over the 3
3 immediately preceding fiscal years for each fiscal year
4 thereafter) divided by the Average Daily Attendance of the
5 school district.

6 (2) Supplemental general State aid pursuant to this
7 subsection (H) shall be provided as follows for the 1998-1999,
8 1999-2000, and 2000-2001 school years only:

9 (a) For any school district with a Low Income
10 Concentration Level of at least 20% and less than 35%, the
11 grant for any school year shall be \$800 multiplied by the
12 low income eligible pupil count.

13 (b) For any school district with a Low Income
14 Concentration Level of at least 35% and less than 50%, the
15 grant for the 1998-1999 school year shall be \$1,100
16 multiplied by the low income eligible pupil count.

17 (c) For any school district with a Low Income
18 Concentration Level of at least 50% and less than 60%, the
19 grant for the 1998-99 school year shall be \$1,500
20 multiplied by the low income eligible pupil count.

21 (d) For any school district with a Low Income
22 Concentration Level of 60% or more, the grant for the
23 1998-99 school year shall be \$1,900 multiplied by the low
24 income eligible pupil count.

25 (e) For the 1999-2000 school year, the per pupil amount
26 specified in subparagraphs (b), (c), and (d) immediately

1 above shall be increased to \$1,243, \$1,600, and \$2,000,
2 respectively.

3 (f) For the 2000-2001 school year, the per pupil
4 amounts specified in subparagraphs (b), (c), and (d)
5 immediately above shall be \$1,273, \$1,640, and \$2,050,
6 respectively.

7 (2.5) Supplemental general State aid pursuant to this
8 subsection (H) shall be provided as follows for the 2002-2003
9 school year:

10 (a) For any school district with a Low Income
11 Concentration Level of less than 10%, the grant for each
12 school year shall be \$355 multiplied by the low income
13 eligible pupil count.

14 (b) For any school district with a Low Income
15 Concentration Level of at least 10% and less than 20%, the
16 grant for each school year shall be \$675 multiplied by the
17 low income eligible pupil count.

18 (c) For any school district with a Low Income
19 Concentration Level of at least 20% and less than 35%, the
20 grant for each school year shall be \$1,330 multiplied by
21 the low income eligible pupil count.

22 (d) For any school district with a Low Income
23 Concentration Level of at least 35% and less than 50%, the
24 grant for each school year shall be \$1,362 multiplied by
25 the low income eligible pupil count.

26 (e) For any school district with a Low Income

1 Concentration Level of at least 50% and less than 60%, the
2 grant for each school year shall be \$1,680 multiplied by
3 the low income eligible pupil count.

4 (f) For any school district with a Low Income
5 Concentration Level of 60% or more, the grant for each
6 school year shall be \$2,080 multiplied by the low income
7 eligible pupil count.

8 (2.10) Except as otherwise provided, supplemental general
9 State aid pursuant to this subsection (H) shall be provided as
10 follows for the 2003-2004 school year and each school year
11 thereafter:

12 (a) For any school district with a Low Income
13 Concentration Level of 15% or less, the grant for each
14 school year shall be \$355 multiplied by the low income
15 eligible pupil count.

16 (b) For any school district with a Low Income
17 Concentration Level greater than 15%, the grant for each
18 school year shall be \$294.25 added to the product of \$2,700
19 and the square of the Low Income Concentration Level, all
20 multiplied by the low income eligible pupil count.

21 For the 2003-2004 school year and each school year
22 thereafter through the 2008-2009 school year only, the grant
23 shall be no less than the grant for the 2002-2003 school year.
24 For the 2009-2010 school year only, the grant shall be no less
25 than the grant for the 2002-2003 school year multiplied by
26 0.66. For the 2010-2011 school year only, the grant shall be no

1 less than the grant for the 2002-2003 school year multiplied by
2 0.33. Notwithstanding the provisions of this paragraph to the
3 contrary, if for any school year supplemental general State aid
4 grants are prorated as provided in paragraph (1) of this
5 subsection (H), then the grants under this paragraph shall be
6 prorated.

7 For the 2003-2004 school year only, the grant shall be no
8 greater than the grant received during the 2002-2003 school
9 year added to the product of 0.25 multiplied by the difference
10 between the grant amount calculated under subsection (a) or (b)
11 of this paragraph (2.10), whichever is applicable, and the
12 grant received during the 2002-2003 school year. For the
13 2004-2005 school year only, the grant shall be no greater than
14 the grant received during the 2002-2003 school year added to
15 the product of 0.50 multiplied by the difference between the
16 grant amount calculated under subsection (a) or (b) of this
17 paragraph (2.10), whichever is applicable, and the grant
18 received during the 2002-2003 school year. For the 2005-2006
19 school year only, the grant shall be no greater than the grant
20 received during the 2002-2003 school year added to the product
21 of 0.75 multiplied by the difference between the grant amount
22 calculated under subsection (a) or (b) of this paragraph
23 (2.10), whichever is applicable, and the grant received during
24 the 2002-2003 school year.

25 (3) (Blank). ~~School districts with an Average Daily~~
26 ~~Attendance of more than 1,000 and less than 50,000 that qualify~~

1 ~~for supplemental general State aid pursuant to this subsection~~
2 ~~shall submit a plan to the State Board of Education prior to~~
3 ~~October 30 of each year for the use of the funds resulting from~~
4 ~~this grant of supplemental general State aid for the~~
5 ~~improvement of instruction in which priority is given to~~
6 ~~meeting the education needs of disadvantaged children. Such~~
7 ~~plan shall be submitted in accordance with rules and~~
8 ~~regulations promulgated by the State Board of Education.~~

9 (4) School districts with an Average Daily Attendance of
10 50,000 or more that qualify for supplemental general State aid
11 pursuant to this subsection shall be required to distribute
12 from funds available pursuant to this Section, no less than
13 \$261,000,000 in accordance with the following requirements:

14 (a) The required amounts shall be distributed to the
15 attendance centers within the district in proportion to the
16 number of pupils enrolled at each attendance center who are
17 eligible to receive free or reduced-price lunches or
18 breakfasts under the federal Child Nutrition Act of 1966
19 and under the National School Lunch Act during the
20 immediately preceding school year.

21 (b) The distribution of these portions of supplemental
22 and general State aid among attendance centers according to
23 these requirements shall not be compensated for or
24 contravened by adjustments of the total of other funds
25 appropriated to any attendance centers, and the Board of
26 Education shall utilize funding from one or several sources

1 in order to fully implement this provision annually prior
2 to the opening of school.

3 (c) Each attendance center shall be provided by the
4 school district a distribution of noncategorical funds and
5 other categorical funds to which an attendance center is
6 entitled under law in order that the general State aid and
7 supplemental general State aid provided by application of
8 this subsection supplements rather than supplants the
9 noncategorical funds and other categorical funds provided
10 by the school district to the attendance centers.

11 (d) Any funds made available under this subsection that
12 by reason of the provisions of this subsection are not
13 required to be allocated and provided to attendance centers
14 may be used and appropriated by the board of the district
15 for any lawful school purpose.

16 (e) Funds received by an attendance center pursuant to
17 this subsection shall be used by the attendance center at
18 the discretion of the principal and local school council
19 for programs to improve educational opportunities at
20 qualifying schools through the following programs and
21 services: early childhood education, reduced class size or
22 improved adult to student classroom ratio, enrichment
23 programs, remedial assistance, attendance improvement, and
24 other educationally beneficial expenditures which
25 supplement the regular and basic programs as determined by
26 the State Board of Education. Funds provided shall not be

1 expended for any political or lobbying purposes as defined
2 by board rule.

3 (f) Each district subject to the provisions of this
4 subdivision (H) (4) shall submit an acceptable plan to meet
5 the educational needs of disadvantaged children, in
6 compliance with the requirements of this paragraph, to the
7 State Board of Education prior to July 15 of each year.
8 This plan shall be consistent with the decisions of local
9 school councils concerning the school expenditure plans
10 developed in accordance with part 4 of Section 34-2.3. The
11 State Board shall approve or reject the plan within 60 days
12 after its submission. If the plan is rejected, the district
13 shall give written notice of intent to modify the plan
14 within 15 days of the notification of rejection and then
15 submit a modified plan within 30 days after the date of the
16 written notice of intent to modify. Districts may amend
17 approved plans pursuant to rules promulgated by the State
18 Board of Education.

19 Upon notification by the State Board of Education that
20 the district has not submitted a plan prior to July 15 or a
21 modified plan within the time period specified herein, the
22 State aid funds affected by that plan or modified plan
23 shall be withheld by the State Board of Education until a
24 plan or modified plan is submitted.

25 If the district fails to distribute State aid to
26 attendance centers in accordance with an approved plan, the

1 plan for the following year shall allocate funds, in
2 addition to the funds otherwise required by this
3 subsection, to those attendance centers which were
4 underfunded during the previous year in amounts equal to
5 such underfunding.

6 For purposes of determining compliance with this
7 subsection in relation to the requirements of attendance
8 center funding, each district subject to the provisions of
9 this subsection shall submit as a separate document by
10 December 1 of each year a report of expenditure data for
11 the prior year in addition to any modification of its
12 current plan. If it is determined that there has been a
13 failure to comply with the expenditure provisions of this
14 subsection regarding contravention or supplanting, the
15 State Superintendent of Education shall, within 60 days of
16 receipt of the report, notify the district and any affected
17 local school council. The district shall within 45 days of
18 receipt of that notification inform the State
19 Superintendent of Education of the remedial or corrective
20 action to be taken, whether by amendment of the current
21 plan, if feasible, or by adjustment in the plan for the
22 following year. Failure to provide the expenditure report
23 or the notification of remedial or corrective action in a
24 timely manner shall result in a withholding of the affected
25 funds.

26 The State Board of Education shall promulgate rules and

1 regulations to implement the provisions of this
2 subsection. No funds shall be released under this
3 subdivision (H) (4) to any district that has not submitted a
4 plan that has been approved by the State Board of
5 Education.

6 (I) (Blank).

7 (J) (Blank).

8 (K) Grants to Laboratory and Alternative Schools.

9 In calculating the amount to be paid to the governing board
10 of a public university that operates a laboratory school under
11 this Section or to any alternative school that is operated by a
12 regional superintendent of schools, the State Board of
13 Education shall require by rule such reporting requirements as
14 it deems necessary.

15 As used in this Section, "laboratory school" means a public
16 school which is created and operated by a public university and
17 approved by the State Board of Education. The governing board
18 of a public university which receives funds from the State
19 Board under this subsection (K) may not increase the number of
20 students enrolled in its laboratory school from a single
21 district, if that district is already sending 50 or more
22 students, except under a mutual agreement between the school
23 board of a student's district of residence and the university

1 which operates the laboratory school. A laboratory school may
2 not have more than 1,000 students, excluding students with
3 disabilities in a special education program.

4 As used in this Section, "alternative school" means a
5 public school which is created and operated by a Regional
6 Superintendent of Schools and approved by the State Board of
7 Education. Such alternative schools may offer courses of
8 instruction for which credit is given in regular school
9 programs, courses to prepare students for the high school
10 equivalency testing program or vocational and occupational
11 training. A regional superintendent of schools may contract
12 with a school district or a public community college district
13 to operate an alternative school. An alternative school serving
14 more than one educational service region may be established by
15 the regional superintendents of schools of the affected
16 educational service regions. An alternative school serving
17 more than one educational service region may be operated under
18 such terms as the regional superintendents of schools of those
19 educational service regions may agree.

20 Each laboratory and alternative school shall file, on forms
21 provided by the State Superintendent of Education, an annual
22 State aid claim which states the Average Daily Attendance of
23 the school's students by month. The best 3 months' Average
24 Daily Attendance shall be computed for each school. The general
25 State aid entitlement shall be computed by multiplying the
26 applicable Average Daily Attendance by the Foundation Level as

1 determined under this Section.

2 (L) Payments, Additional Grants in Aid and Other Requirements.

3 (1) For a school district operating under the financial
4 supervision of an Authority created under Article 34A, the
5 general State aid otherwise payable to that district under this
6 Section, but not the supplemental general State aid, shall be
7 reduced by an amount equal to the budget for the operations of
8 the Authority as certified by the Authority to the State Board
9 of Education, and an amount equal to such reduction shall be
10 paid to the Authority created for such district for its
11 operating expenses in the manner provided in Section 18-11. The
12 remainder of general State school aid for any such district
13 shall be paid in accordance with Article 34A when that Article
14 provides for a disposition other than that provided by this
15 Article.

16 (2) (Blank).

17 (3) Summer school. Summer school payments shall be made as
18 provided in Section 18-4.3.

19 (M) Education Funding Advisory Board.

20 The Education Funding Advisory Board, hereinafter in this
21 subsection (M) referred to as the "Board", is hereby created.
22 The Board shall consist of 5 members who are appointed by the
23 Governor, by and with the advice and consent of the Senate. The
24 members appointed shall include representatives of education,

1 business, and the general public. One of the members so
2 appointed shall be designated by the Governor at the time the
3 appointment is made as the chairperson of the Board. The
4 initial members of the Board may be appointed any time after
5 the effective date of this amendatory Act of 1997. The regular
6 term of each member of the Board shall be for 4 years from the
7 third Monday of January of the year in which the term of the
8 member's appointment is to commence, except that of the 5
9 initial members appointed to serve on the Board, the member who
10 is appointed as the chairperson shall serve for a term that
11 commences on the date of his or her appointment and expires on
12 the third Monday of January, 2002, and the remaining 4 members,
13 by lots drawn at the first meeting of the Board that is held
14 after all 5 members are appointed, shall determine 2 of their
15 number to serve for terms that commence on the date of their
16 respective appointments and expire on the third Monday of
17 January, 2001, and 2 of their number to serve for terms that
18 commence on the date of their respective appointments and
19 expire on the third Monday of January, 2000. All members
20 appointed to serve on the Board shall serve until their
21 respective successors are appointed and confirmed. Vacancies
22 shall be filled in the same manner as original appointments. If
23 a vacancy in membership occurs at a time when the Senate is not
24 in session, the Governor shall make a temporary appointment
25 until the next meeting of the Senate, when he or she shall
26 appoint, by and with the advice and consent of the Senate, a

1 person to fill that membership for the unexpired term. If the
2 Senate is not in session when the initial appointments are
3 made, those appointments shall be made as in the case of
4 vacancies.

5 The Education Funding Advisory Board shall be deemed
6 established, and the initial members appointed by the Governor
7 to serve as members of the Board shall take office, on the date
8 that the Governor makes his or her appointment of the fifth
9 initial member of the Board, whether those initial members are
10 then serving pursuant to appointment and confirmation or
11 pursuant to temporary appointments that are made by the
12 Governor as in the case of vacancies.

13 The State Board of Education shall provide such staff
14 assistance to the Education Funding Advisory Board as is
15 reasonably required for the proper performance by the Board of
16 its responsibilities.

17 For school years after the 2000-2001 school year, the
18 Education Funding Advisory Board, in consultation with the
19 State Board of Education, shall make recommendations as
20 provided in this subsection (M) to the General Assembly for the
21 foundation level under subdivision (B)(3) of this Section and
22 for the supplemental general State aid grant level under
23 subsection (H) of this Section for districts with high
24 concentrations of children from poverty. The recommended
25 foundation level shall be determined based on a methodology
26 which incorporates the basic education expenditures of

1 low-spending schools exhibiting high academic performance. The
2 Education Funding Advisory Board shall make such
3 recommendations to the General Assembly on January 1 of odd
4 numbered years, beginning January 1, 2001.

5 (N) (Blank).

6 (O) References.

7 (1) References in other laws to the various subdivisions of
8 Section 18-8 as that Section existed before its repeal and
9 replacement by this Section 18-8.05 shall be deemed to refer to
10 the corresponding provisions of this Section 18-8.05, to the
11 extent that those references remain applicable.

12 (2) References in other laws to State Chapter 1 funds shall
13 be deemed to refer to the supplemental general State aid
14 provided under subsection (H) of this Section.

15 (P) Public Act 93-838 and Public Act 93-808 make inconsistent
16 changes to this Section. Under Section 6 of the Statute on
17 Statutes there is an irreconcilable conflict between Public Act
18 93-808 and Public Act 93-838. Public Act 93-838, being the last
19 acted upon, is controlling. The text of Public Act 93-838 is
20 the law regardless of the text of Public Act 93-808.

21 (Source: P.A. 96-45, eff. 7-15-09; 96-152, eff. 8-7-09; 96-300,
22 eff. 8-11-09; 96-328, eff. 8-11-09; 96-640, eff. 8-24-09;
23 96-959, eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1480, eff.

1 11-18-10; 97-339, eff. 8-12-11; 97-351, eff. 8-12-11; revised
2 9-28-11.)

3 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

4 Sec. 18-12. Dates for filing State aid claims. The school
5 board of each school district shall require teachers,
6 principals, or superintendents to furnish from records kept by
7 them such data as it needs in preparing and certifying to the
8 State Superintendent of Education ~~regional superintendent~~ its
9 school district report of claims provided in Sections 18-8.05
10 through 18-9 ~~as required by the State Superintendent of~~
11 ~~Education~~. The district claim shall be based on the latest
12 available equalized assessed valuation and tax rates, as
13 provided in Section 18-8.05 and shall use the average daily
14 attendance as determined by the method outlined in Section
15 18-8.05 and shall be certified and filed with the State
16 Superintendent of Education ~~regional superintendent~~ by June 21
17 for districts with an official school calendar end date before
18 June 15 or within 2 weeks following the official school
19 calendar end date for districts with a school year end date of
20 June 15 or later. ~~The regional superintendent shall certify and~~
21 ~~file with the State Superintendent of Education district State~~
22 ~~aid claims by July 1 for districts with an official school~~
23 ~~calendar end date before June 15 or no later than July 15 for~~
24 ~~districts with an official school calendar end date of June 15~~
25 ~~or later~~. Failure to so file by these deadlines constitutes a

1 forfeiture of the right to receive payment by the State until
2 such claim is filed and vouchered for payment. The ~~regional~~
3 ~~superintendent of schools shall certify the county report of~~
4 ~~claims by July 15;~~ and the State Superintendent of Education
5 shall voucher for payment those claims to the State Comptroller
6 as provided in Section 18-11.

7 Except as otherwise provided in this Section, if any school
8 district fails to provide the minimum school term specified in
9 Section 10-19, the State aid claim for that year shall be
10 reduced by the State Superintendent of Education in an amount
11 equivalent to 1/176 or .56818% for each day less than the
12 number of days required by this Code.

13 If the State Superintendent of Education determines that
14 the failure to provide the minimum school term was occasioned
15 by an act or acts of God, or was occasioned by conditions
16 beyond the control of the school district which posed a
17 hazardous threat to the health and safety of pupils, the State
18 aid claim need not be reduced.

19 If a school district was ~~is~~ precluded from providing the
20 minimum hours of instruction required for a full day of
21 attendance due to an adverse weather condition or a condition
22 beyond the control of the school district that posed ~~poses~~ a
23 hazardous threat to the health and safety of students, then the
24 partial day of attendance may be counted if (i) the school
25 district ~~has~~ provided at least one hour of instruction prior to
26 the closure of the school district, (ii) a school building ~~has~~

1 provided at least one hour of instruction prior to the closure
2 of the school building, or (iii) the normal start time of the
3 school district was ~~is~~ delayed.

4 If, prior to providing any instruction, a school district
5 must close one or more but not all school buildings after
6 consultation with a local emergency response agency or due to a
7 condition beyond the control of the school district that posed
8 a hazardous threat to the health and safety of pupils, then the
9 school district may claim attendance for up to 2 school days
10 based on the average attendance of the 3 school days
11 immediately preceding the closure of the affected school
12 building. The partial or no day of attendance described in this
13 Section and the reasons therefore shall be certified within a
14 month of the closing or delayed start by the school district
15 superintendent to the regional superintendent of schools for
16 forwarding to the State Superintendent of Education for
17 approval.

18 No exception to the requirement of providing a minimum
19 school term may be approved by the State Superintendent of
20 Education pursuant to this Section unless a school district has
21 first used all emergency days provided for in its regular
22 calendar.

23 If the State Superintendent of Education declares that an
24 energy shortage exists during any part of the school year for
25 the State or a designated portion of the State, a district may
26 operate the school attendance centers within the district 4

1 days of the week during the time of the shortage by extending
2 each existing school day by one clock hour of school work, and
3 the State aid claim shall not be reduced, nor shall the
4 employees of that district suffer any reduction in salary or
5 benefits as a result thereof. A district may operate all
6 attendance centers on this revised schedule, or may apply the
7 schedule to selected attendance centers, taking into
8 consideration such factors as pupil transportation schedules
9 and patterns and sources of energy for individual attendance
10 centers.

11 Electronically submitted State aid claims shall be
12 submitted by duly authorized district or regional individuals
13 over a secure network that is password protected. The
14 electronic submission of a State aid claim must be accompanied
15 with an affirmation that all of the provisions of Sections
16 18-8.05 through 18-9, 10-22.5, and 24-4 of this Code are met in
17 all respects.

18 (Source: P.A. 95-152, eff. 8-14-07; 95-811, eff. 8-13-08;
19 95-876, eff. 8-21-08; 96-734, eff. 8-25-09.)

20 (105 ILCS 5/26-2a) (from Ch. 122, par. 26-2a)

21 Sec. 26-2a. A "truant" is defined as a child subject to
22 compulsory school attendance and who is absent without valid
23 cause from such attendance for a school day or portion thereof.

24 "Valid cause" for absence shall be illness, observance of a
25 religious holiday, death in the immediate family, family

1 emergency, and shall include such other situations beyond the
2 control of the student as determined by the board of education
3 in each district, or such other circumstances which cause
4 reasonable concern to the parent for the safety or health of
5 the student.

6 "Chronic or habitual truant" shall be defined as a child
7 who is subject to compulsory school attendance and who is
8 absent without valid cause from such attendance for 5% or more
9 of the previous 180 regular attendance days.

10 "Truant minor" is defined as a chronic truant to whom
11 supportive services, including prevention, diagnostic,
12 intervention and remedial services, alternative programs and
13 other school and community resources have been provided and
14 have failed to result in the cessation of chronic truancy, or
15 have been offered and refused.

16 A "dropout" is defined as any child enrolled in grades one
17 ~~9~~ through 12 whose name has been removed from the district
18 enrollment roster for any reason other than the student's
19 death, extended illness, removal for medical non-compliance,
20 expulsion, ~~aging out,~~ graduation, or completion of a program of
21 studies and who has not transferred to another public or
22 private school or moved out of the United States ~~and is not~~
23 ~~known to be home schooled by his or her parents or guardians or~~
24 ~~continuing school in another country.~~

25 "Religion" for the purposes of this Article, includes all
26 aspects of religious observance and practice, as well as

1 belief.

2 (Source: P.A. 96-1423, eff. 8-3-10; 97-218, eff. 7-28-11.)

3 (105 ILCS 5/27A-6)

4 Sec. 27A-6. Contract contents; applicability of laws and
5 regulations.

6 (a) A certified charter shall constitute a binding contract
7 and agreement between the charter school and a local school
8 board under the terms of which the local school board
9 authorizes the governing body of the charter school to operate
10 the charter school on the terms specified in the contract.

11 (b) Notwithstanding any other provision of this Article,
12 the certified charter may not waive or release the charter
13 school from the State goals, standards, and assessments
14 established pursuant to Section 2-3.64. Beginning with the
15 2003-2004 school year, the certified charter for a charter
16 school operating in a city having a population exceeding
17 500,000 shall require the charter school to administer any
18 other nationally recognized standardized tests to its students
19 that the chartering entity administers to other students, and
20 the results on such tests shall be included in the chartering
21 entity's assessment reports.

22 (c) Subject to the provisions of subsection (e), a material
23 revision to a previously certified contract or a renewal shall
24 be made with the approval of both the local school board and
25 the governing body of the charter school.

1 (c-5) The proposed contract shall include a provision on
2 how both parties will address minor violations of the contract.

3 (d) The proposed contract between the governing body of a
4 proposed charter school and the local school board as described
5 in Section 27A-7 must be submitted to and certified by the
6 State Board before it can take effect. If the State Board
7 recommends that the proposed contract be modified for
8 consistency with this Article before it can be certified, the
9 modifications must be consented to by both the governing body
10 of the charter school and the local school board, and
11 resubmitted to the State Board for its certification. If the
12 proposed contract is resubmitted in a form that is not
13 consistent with this Article, the State Board may refuse to
14 certify the charter.

15 The State Board shall assign a number to each submission or
16 resubmission in chronological order of receipt, and shall
17 determine whether the proposed contract is consistent with the
18 provisions of this Article. If the proposed contract complies,
19 the State Board shall so certify.

20 (e) In the case of a material revision to a previously
21 certified contract or a renewal under subsection (c) of this
22 Section, either party may request that the State Board certify
23 that the material revision is consistent with the provisions of
24 this Article. If such a request is made, the proposed material
25 revision is not effective unless and until the State Board so
26 certifies. ~~No material revision to a previously certified~~

1 ~~contract or a renewal shall be effective unless and until the~~
2 ~~State Board certifies that the revision or renewal is~~
3 ~~consistent with the provisions of this Article.~~

4 (Source: P.A. 93-3, eff. 4-16-03.)

5 (105 ILCS 5/27A-7)

6 Sec. 27A-7. Charter submission.

7 (a) A proposal to establish a charter school shall be
8 submitted to the State Board and the local school board in the
9 form of a proposed contract entered into between the local
10 school board and the governing body of a proposed charter
11 school. The charter school proposal as submitted to the State
12 Board shall include:

13 (1) The name of the proposed charter school, which must
14 include the words "Charter School".

15 (2) The age or grade range, areas of focus, minimum and
16 maximum numbers of pupils to be enrolled in the charter
17 school, and any other admission criteria that would be
18 legal if used by a school district.

19 (3) A description of and address for the physical plant
20 in which the charter school will be located; provided that
21 nothing in the Article shall be deemed to justify delaying
22 or withholding favorable action on or approval of a charter
23 school proposal because the building or buildings in which
24 the charter school is to be located have not been acquired
25 or rented at the time a charter school proposal is

1 submitted or approved or a charter school contract is
2 entered into or submitted for certification or certified,
3 so long as the proposal or submission identifies and names
4 at least 2 sites that are potentially available as a
5 charter school facility by the time the charter school is
6 to open.

7 (4) The mission statement of the charter school, which
8 must be consistent with the General Assembly's declared
9 purposes; provided that nothing in this Article shall be
10 construed to require that, in order to receive favorable
11 consideration and approval, a charter school proposal
12 demonstrate unequivocally that the charter school will be
13 able to meet each of those declared purposes, it being the
14 intention of the Charter Schools Law that those purposes be
15 recognized as goals that charter schools must aspire to
16 attain.

17 (5) The goals, objectives, and pupil performance
18 standards to be achieved by the charter school.

19 (6) In the case of a proposal to establish a charter
20 school by converting an existing public school or
21 attendance center to charter school status, evidence that
22 the proposed formation of the charter school has received
23 the approval of certified teachers, parents and guardians,
24 and, if applicable, a local school council as provided in
25 subsection (b) of Section 27A-8.

26 (7) A description of the charter school's educational

1 program, pupil performance standards, curriculum, school
2 year, school days, and hours of operation.

3 (8) A description of the charter school's plan for
4 evaluating pupil performance, the types of assessments
5 that will be used to measure pupil progress towards
6 achievement of the school's pupil performance standards,
7 the timeline for achievement of those standards, and the
8 procedures for taking corrective action in the event that
9 pupil performance at the charter school falls below those
10 standards.

11 (9) Evidence that the terms of the charter as proposed
12 are economically sound for both the charter school and the
13 school district, a proposed budget for the term of the
14 charter, a description of the manner in which an annual
15 audit of the financial and administrative operations of the
16 charter school, including any services provided by the
17 school district, are to be conducted, and a plan for the
18 displacement of pupils, teachers, and other employees who
19 will not attend or be employed in the charter school.

20 (10) A description of the governance and operation of
21 the charter school, including the nature and extent of
22 parental, professional educator, and community involvement
23 in the governance and operation of the charter school.

24 (11) An explanation of the relationship that will exist
25 between the charter school and its employees, including
26 evidence that the terms and conditions of employment have

1 been addressed with affected employees and their
2 recognized representative, if any. However, a bargaining
3 unit of charter school employees shall be separate and
4 distinct from any bargaining units formed from employees of
5 a school district in which the charter school is located.

6 (12) An agreement between the parties regarding their
7 respective legal liability and applicable insurance
8 coverage.

9 (13) A description of how the charter school plans to
10 meet the transportation needs of its pupils, and a plan for
11 addressing the transportation needs of low-income and
12 at-risk pupils.

13 (14) The proposed effective date and term of the
14 charter; provided that the first day of the first academic
15 year ~~and the first day of the fiscal year~~ shall be no
16 earlier than August 15 and the first day of the fiscal year
17 shall be July 1 ~~no later than September 15~~ of a calendar
18 year.

19 (15) Any other information reasonably required by the
20 State Board of Education.

21 (b) A proposal to establish a charter school may be
22 initiated by individuals or organizations that will have
23 majority representation on the board of directors or other
24 governing body of the corporation or other discrete legal
25 entity that is to be established to operate the proposed
26 charter school, by a board of education or an intergovernmental

1 agreement between or among boards of education, or by the board
2 of directors or other governing body of a discrete legal entity
3 already existing or established to operate the proposed charter
4 school. The individuals or organizations referred to in this
5 subsection may be school teachers, school administrators,
6 local school councils, colleges or universities or their
7 faculty members, public community colleges or their
8 instructors or other representatives, corporations, or other
9 entities or their representatives. The proposal shall be
10 submitted to the local school board for consideration and, if
11 appropriate, for development of a proposed contract to be
12 submitted to the State Board for certification under Section
13 27A-6.

14 (c) The local school board may not without the consent of
15 the governing body of the charter school condition its approval
16 of a charter school proposal on acceptance of an agreement to
17 operate under State laws and regulations and local school board
18 policies from which the charter school is otherwise exempted
19 under this Article.

20 (Source: P.A. 90-548, eff. 1-1-98; 91-405, eff. 8-3-99.)

21 (105 ILCS 5/34-8) (from Ch. 122, par. 34-8)

22 Sec. 34-8. Powers and duties of general superintendent. The
23 general superintendent of schools shall prescribe and control,
24 subject to the approval of the board and to other provisions of
25 this Article, the courses of study mandated by State law,

1 textbooks, educational apparatus and equipment, discipline in
2 and conduct of the schools, and shall perform such other duties
3 as the board may by rule prescribe. The superintendent shall
4 also notify the State Board of Education, the board and the
5 chief administrative official, other than the alleged
6 perpetrator himself, in the school where the alleged
7 perpetrator serves, that any person who is employed in a school
8 or otherwise comes into frequent contact with children in the
9 school has been named as a perpetrator in an indicated report
10 filed pursuant to the Abused and Neglected Child Reporting Act,
11 approved June 26, 1975, as amended.

12 The general superintendent may be granted the authority by
13 the board to hire a specific number of employees to assist in
14 meeting immediate responsibilities. Conditions of employment
15 for such personnel shall not be subject to the provisions of
16 Section 34-85.

17 The general superintendent may, pursuant to a delegation of
18 authority by the board and Section 34-18, approve contracts and
19 expenditures.

20 Pursuant to other provisions of this Article, sites shall
21 be selected, schoolhouses located thereon and plans therefor
22 approved, and textbooks and educational apparatus and
23 equipment shall be adopted and purchased by the board only upon
24 the recommendation of the general superintendent of schools or
25 by a majority vote of the full membership of the board and, in
26 the case of textbooks, subject to Article 28 of this Act. The

1 board may furnish free textbooks to pupils and may publish its
2 own textbooks and manufacture its own apparatus, equipment and
3 supplies.

4 In addition, each year at a time designated by the State
5 Superintendent of Education ~~in January of each year,~~ the
6 general superintendent of schools shall report to the State
7 Board of Education the number of high school students in the
8 district who are enrolled in accredited courses (for which high
9 school credit will be awarded upon successful completion of the
10 courses) at any community college, together with the name and
11 number of the course or courses which each such student is
12 taking.

13 The general superintendent shall also have the authority to
14 monitor the performance of attendance centers, to identify and
15 place an attendance center on remediation and probation, and to
16 recommend to the board that the attendance center be placed on
17 intervention and be reconstituted, subject to the provisions of
18 Sections 34-8.3 and 8.4.

19 The general superintendent, or his or her designee, shall
20 conduct an annual evaluation of each principal in the district
21 pursuant to guidelines promulgated by the Board and the Board
22 approved principal evaluation form. The evaluation shall be
23 based on factors, including the following: (i) student academic
24 improvement, as defined by the school improvement plan; (ii)
25 student absenteeism rates at the school; (iii) instructional
26 leadership; (iv) effective implementation of programs,

1 policies, or strategies to improve student academic
2 achievement; (v) school management; and (vi) other factors,
3 including, without limitation, the principal's communication
4 skills and ability to create and maintain a student-centered
5 learning environment, to develop opportunities for
6 professional development, and to encourage parental
7 involvement and community partnerships to achieve school
8 improvement.

9 Effective no later than September 1, 2012, the general
10 superintendent or his or her designee shall develop a written
11 principal evaluation plan. The evaluation plan must be in
12 writing and shall supersede the evaluation requirements set
13 forth in this Section. The evaluation plan must do at least all
14 of the following:

15 (1) Provide for annual evaluation of all principals
16 employed under a performance contract by the general
17 superintendent or his or her designee, no later than July
18 1st of each year.

19 (2) Consider the principal's specific duties,
20 responsibilities, management, and competence as a
21 principal.

22 (3) Specify the principal's strengths and weaknesses,
23 with supporting reasons.

24 (4) Align with research-based standards.

25 (5) Use data and indicators on student growth as a
26 significant factor in rating principal performance.

1 (Source: P.A. 95-496, eff. 8-28-07; 96-861, eff. 1-15-10.)

2 (105 ILCS 5/2-3.9 rep.)

3 (105 ILCS 5/2-3.10 rep.)

4 (105 ILCS 5/2-3.17 rep.)

5 (105 ILCS 5/2-3.60 rep.)

6 (105 ILCS 5/13B-35.10 rep.)

7 (105 ILCS 5/13B-35.15 rep.)

8 (105 ILCS 5/13B-35.20 rep.)

9 (105 ILCS 5/13B-40 rep.)

10 Section 10. The School Code is amended by repealing
11 Sections 2-3.9, 2-3.10, 2-3.17, 2-3.60, 13B-35.10, 13B-35.15,
12 13B-35.20, and 13B-40.

13 Section 15. The Critical Health Problems and Comprehensive
14 Health Education Act is amended by changing Section 6 as
15 follows:

16 (105 ILCS 110/6) (from Ch. 122, par. 866)

17 Sec. 6. Rules and Regulations. In carrying out the powers
18 and duties of the State Board of Education ~~and the advisory~~
19 ~~committee established by this Act~~, the State Board is ~~and such~~
20 ~~committee are~~ authorized to promulgate rules and regulations in
21 order to implement the provisions of this Act.

22 (Source: P.A. 81-1508.)

1 (105 ILCS 110/5 rep.)

2 Section 20. The Critical Health Problems and Comprehensive
3 Health Education Act is amended by repealing Section 5.

4 (105 ILCS 215/Act rep.)

5 Section 25. The Chicago Community Schools Study Commission
6 Act is repealed.".