



Sen. Heather A. Steans

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1 AMENDMENT TO SENATE BILL 3412

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3412 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections  
5 2-3.51, 2-3.51.5, 10-20.9a, 10-29, 13A-11, 13B-25.25, 18-8.05,  
6 21B-75, 27A-4, 27A-6, and 34-8.14 and by adding Section  
7 2-3.64a-5 as follows:

8 (105 ILCS 5/2-3.51) (from Ch. 122, par. 2-3.51)

9 Sec. 2-3.51. Reading Improvement Block Grant Program. To  
10 improve the reading and study skills of children from  
11 kindergarten through sixth grade in school districts. The State  
12 Board of Education is authorized to administer a Reading  
13 Improvement Block Grant Program. As used in this Section:

14 "School district" includes those schools designated as  
15 "laboratory schools".

16 "Scientifically based reading research" means the

1 application of rigorous, systematic, and objective procedures  
2 to obtain valid knowledge relevant to reading development,  
3 reading instruction, and reading difficulties. The term  
4 includes research that employs systematic, empirical methods  
5 that draw on observation or experiment, involves rigorous data  
6 analysis that is adequate to test the stated hypotheses and to  
7 justify the general conclusions drawn, relies on measurements  
8 or observational methods that provide valid data across  
9 evaluators and observers and across multiple measurements and  
10 observations, and has been accepted by peer-reviewed journal or  
11 approved by a panel of independent experts through a comparably  
12 rigorous, objective and scientific review.

13 (a) Funds for the Reading Improvement Block Grant Program  
14 shall be distributed to school districts on the following  
15 basis: 70% of monies shall be awarded on the prior year's best  
16 3 months average daily attendance and 30% shall be distributed  
17 on the number of economically disadvantaged (E.C.I.A. Chapter  
18 I) pupils in the district, provided that the State Board may  
19 distribute an amount not to exceed 2% of the monies  
20 appropriated for the Reading Improvement Block Grant Program  
21 for the purpose of providing teacher training and re-training  
22 in the teaching of reading. Program funds shall be distributed  
23 to school districts in 2 semi-annual installments, one payment  
24 on or before October 30, and one payment prior to April 30, of  
25 each year. The State Board shall promulgate rules and  
26 regulations necessary for the implementation of this program.

1 Programs provided with grant funds shall not replace quality  
2 classroom reading instruction, but shall instead supplement  
3 such instruction.

4 (a-5) Reading Improvement Block Grant Program funds shall  
5 be used by school districts in the following manner:

6 (1) to hire reading specialists, reading teachers, and  
7 reading aides in order to provide early reading  
8 intervention in kindergarten through grade 2 and programs  
9 of continued reading support for students in grades 3  
10 through 6;

11 (2) in kindergarten through grade 2, to establish  
12 short-term tutorial early reading intervention programs  
13 for children who are at risk of failing to learn to read;  
14 these programs shall (i) focus on scientifically based  
15 research and best practices with proven long-term results,  
16 (ii) identify students in need of help no later than the  
17 middle of first grade, (iii) provide ongoing training for  
18 teachers in the program, (iv) focus instruction on  
19 strengthening a student's phonemic awareness, phonics,  
20 fluency, and comprehension skills, (v) provide a means to  
21 document and evaluate student growth, and (vi) provide  
22 properly trained staff;

23 (3) to continue direct reading instruction for grades 3  
24 through 6;

25 (4) in grades 3 through 6, to establish programs of  
26 support for students who demonstrate a need for continued

1 assistance in learning to read and in maintaining reading  
2 achievement; these programs shall (i) focus on  
3 scientifically based research and best practices with  
4 proven long-term results, (ii) provide ongoing training  
5 for teachers and other staff members in the program, (iii)  
6 focus instruction on strengthening a student's phonics,  
7 fluency, and comprehension skills in grades 3 through 6,  
8 (iv) provide a means to evaluate and document student  
9 growth, and (v) provide properly trained staff;

10 (5) in grades K through 6, to provide classroom reading  
11 materials for students; each district may allocate up to  
12 25% of the funds for this purpose; and

13 (6) to provide a long-term professional development  
14 program for classroom teachers, administrators, and other  
15 appropriate staff; the program shall (i) focus on  
16 scientifically based research and best practices with  
17 proven long-term results, (ii) provide a means to evaluate  
18 student progress in reading as a result of the training,  
19 (iii) and be provided by approved staff development  
20 providers.

21 (a-10) Reading Improvement Block Grant Program funds shall  
22 be made available to each eligible school district submitting  
23 an approved application developed by the State Board beginning  
24 with the 1998-99 school year. Applications shall include a  
25 proposed assessment method or methods for measuring the reading  
26 growth of students who receive direct instruction as a result

1 of the funding and the impact of staff development activities  
2 on student growth in reading. Such methods may include the  
3 reading portion of the assessments required under Section  
4 2-3.64a-5 of this Code ~~Illinois Standards Achievement Testing~~  
5 ~~Program~~. At the end of each school year the district shall  
6 report performance of progress results to the State Board.  
7 Districts not demonstrating performance progress using an  
8 approved assessment method shall not be eligible for funding in  
9 the third or subsequent years until such progress is  
10 established.

11 (a-15) The State Superintendent of Education, in  
12 cooperation with the school districts participating in the  
13 program, shall annually report to the leadership of the General  
14 Assembly on the results of the Reading Improvement Block Grant  
15 Program and the progress being made on improving the reading  
16 skills of students in kindergarten through the sixth grade.

17 (b) (Blank).

18 (c) (Blank).

19 (d) Grants under the Reading Improvement Program shall be  
20 awarded provided there is an appropriation for the program, and  
21 funding levels for each district shall be prorated according to  
22 the amount of the appropriation.

23 (e) (Blank).

24 (f) (Blank).

25 (Source: P.A. 92-25, eff. 7-1-01.)

1 (105 ILCS 5/2-3.51.5)

2 Sec. 2-3.51.5. School Safety and Educational Improvement  
3 Block Grant Program. To improve the level of education and  
4 safety of students from kindergarten through grade 12 in school  
5 districts and State-recognized, non-public schools. The State  
6 Board of Education is authorized to fund a School Safety and  
7 Educational Improvement Block Grant Program.

8 (1) For school districts, the program shall provide funding  
9 for school safety, textbooks and software, electronic  
10 textbooks and the technological equipment necessary to gain  
11 access to and use electronic textbooks, teacher training and  
12 curriculum development, school improvements, ~~remediation~~  
13 ~~programs under subsection (a) of Section 2-3.64,~~ school report  
14 cards under Section 10-17a, and criminal history records checks  
15 under Sections 10-21.9 and 34-18.5. For State-recognized,  
16 non-public schools, the program shall provide funding for  
17 secular textbooks and software, criminal history records  
18 checks, and health and safety mandates to the extent that the  
19 funds are expended for purely secular purposes. A school  
20 district or laboratory school as defined in Section 18-8 or  
21 18-8.05 is not required to file an application in order to  
22 receive the categorical funding to which it is entitled under  
23 this Section. Funds for the School Safety and Educational  
24 Improvement Block Grant Program shall be distributed to school  
25 districts and laboratory schools based on the prior year's best  
26 3 months average daily attendance. Funds for the School Safety

1 and Educational Improvement Block Grant Program shall be  
2 distributed to State-recognized, non-public schools based on  
3 the average daily attendance figure for the previous school  
4 year provided to the State Board of Education. The State Board  
5 of Education shall develop an application that requires  
6 State-recognized, non-public schools to submit average daily  
7 attendance figures. A State-recognized, non-public school must  
8 submit the application and average daily attendance figure  
9 prior to receiving funds under this Section. The State Board of  
10 Education shall promulgate rules and regulations necessary for  
11 the implementation of this program.

12 (2) Distribution of moneys to school districts and  
13 State-recognized, non-public schools shall be made in 2  
14 semi-annual installments, one payment on or before October 30,  
15 and one payment prior to April 30, of each fiscal year.

16 (3) Grants under the School Safety and Educational  
17 Improvement Block Grant Program shall be awarded provided there  
18 is an appropriation for the program, and funding levels for  
19 each district shall be prorated according to the amount of the  
20 appropriation.

21 (4) The provisions of this Section are in the public  
22 interest, are for the public benefit, and serve secular public  
23 purposes.

24 (Source: P.A. 95-707, eff. 1-11-08; 96-1403, eff. 7-29-10.)

1       Sec. 2-3.64a-5. State goals and assessment.

2       (a) For the assessment and accountability purposes of this  
3 Section, "students" includes those students enrolled in a  
4 public or State-operated elementary school, secondary school,  
5 or cooperative or joint agreement with a governing body or  
6 board of control, a charter school operating in compliance with  
7 the Charter Schools Law, a school operated by a regional office  
8 of education under Section 13A-3 of this Code, or a public  
9 school administered by a local public agency or the Department  
10 of Human Services.

11       (b) The State Board of Education shall establish the  
12 academic standards that are to be applicable to students who  
13 are subject to State assessments under this Section. The State  
14 Board of Education shall not establish any such standards in  
15 final form without first providing opportunities for public  
16 participation and local input in the development of the final  
17 academic standards. Those opportunities shall include a  
18 well-publicized period of public comment and opportunities to  
19 file written comments.

20       (c) Beginning no later than the 2014-2015 school year, the  
21 State Board of Education shall annually assess all students  
22 enrolled in grades 3 through 8 in English language arts and  
23 mathematics.

24       Beginning no later than the 2017-2018 school year, the  
25 State Board of Education shall annually assess all students in  
26 science at one grade in grades 3 through 5, at one grade in

1 grades 6 through 8, and at one grade in grades 9 through 12.

2 The State Board of Education shall annually assess schools  
3 that operate a secondary education program, as defined in  
4 Section 22-22 of this Code, in English language arts and  
5 mathematics. The State Board of Education shall administer no  
6 more than 3 assessments, per student, of English language arts  
7 and mathematics for students in a secondary education program.  
8 One of these assessments shall include a college and career  
9 ready determination.

10 Students who are not assessed for college and career ready  
11 determinations may not receive a regular high school diploma  
12 unless the student is exempted from taking State assessments  
13 under subsection (d) of this Section because (i) the student's  
14 individualized educational program developed under Article 14  
15 of this Code identifies the State assessment as inappropriate  
16 for the student, (ii) the student is enrolled in a program of  
17 adult and continuing education, as defined in the Adult  
18 Education Act, (iii) the school district is not required to  
19 assess the individual student for purposes of accountability  
20 under federal No Child Left Behind Act of 2001 requirements,  
21 (iv) the student has been determined to have limited English  
22 proficiency and has been enrolled in schools in the United  
23 States for less than 12 months, or (v) the student is otherwise  
24 identified by the State Board of Education, through rules, as  
25 being exempt from the assessment.

26 The State Board of Education shall not assess students

1 under this Section in subjects not required by this Section.

2 Districts shall inform their students of the timelines and  
3 procedures applicable to their participation in every yearly  
4 administration of the State assessments. The State Board of  
5 Education shall establish periods of time in each school year  
6 during which State assessments shall occur to meet the  
7 objectives of this Section.

8 (d) Every individualized educational program as described  
9 in Article 14 shall identify if the State assessment or  
10 components thereof are appropriate for the student. The State  
11 Board of Education shall develop rules governing the  
12 administration of an alternate assessment that may be available  
13 to students for whom participation in this State's regular  
14 assessments is not appropriate, even with accommodations as  
15 allowed under this Section.

16 Students receiving special education services whose  
17 individualized educational programs identify them as eligible  
18 for the alternative State assessments nevertheless shall have  
19 the option of taking this State's regular assessment that  
20 includes a college and career ready determination, which shall  
21 be administered in accordance with the eligible accommodations  
22 appropriate for meeting these students' respective needs.

23 All students determined to have limited English  
24 proficiency shall participate in the State assessments,  
25 excepting those students who have been enrolled in schools in  
26 the United States for less than 12 months. Such students may be

1 exempted from participation in one annual administration of the  
2 English language arts assessment. Any student determined to  
3 have limited English proficiency may receive appropriate  
4 assessment accommodations, which shall be established by rule.  
5 Approved assessment accommodations may be provided until the  
6 student's English language skills develop to the extent that  
7 the student is no longer considered to have limited English  
8 proficiency, as demonstrated through a State-identified  
9 English language proficiency assessment.

10 (e) The results or scores of each assessment taken under  
11 this Section shall be made available to the parents of each  
12 student.

13 In each school year, the scores attained by a student on  
14 the State assessment that includes a college and career ready  
15 determination must be placed in the student's permanent record  
16 and must be entered on the student's transcript pursuant to  
17 rules that the State Board of Education shall adopt for that  
18 purpose in accordance with Section 3 of the Illinois School  
19 Student Records Act. In each school year, the scores attained  
20 by a student on the State assessments administered in grades 3  
21 through 8 must be placed in the student's temporary record.

22 (f) All schools shall administer an academic assessment of  
23 English language proficiency in oral comprehension (listening  
24 and speaking) and reading and writing skills to all children of  
25 limited English speaking ability as prescribed by the State  
26 Board of Education pursuant to Section 14C-3 of this Code.

1       (g) All schools in this State that are part of the sample  
2 drawn by the National Center for Education Statistics, in  
3 collaboration with their school districts and the State Board  
4 of Education, shall administer the biennial academic  
5 assessments under the National Assessment of Educational  
6 Progress carried out under Section 411(b)(2) of the federal  
7 National Education Statistics Act of 1994 (20 U.S.C. 9010) if  
8 the U.S. Secretary of Education pays the costs of administering  
9 the assessments.

10       (h) Subject to available funds to this State for the  
11 purpose of student assessment, the State Board of Education  
12 shall provide additional assessments and assessment resources  
13 that may be used by school districts for local assessment  
14 purposes. The State Board of Education shall annually  
15 distribute a listing of these additional resources.

16       (i) For the purposes of this subsection (i), "academically  
17 based assessments" means assessments consisting of questions  
18 and answers that are measurable and quantifiable to measure the  
19 knowledge, skills, and ability of students in the subject  
20 matters covered by the assessments. All assessments  
21 administered pursuant to this Section must be academically  
22 based assessments. The scoring of academically based  
23 assessments shall be reliable, valid, and fair and shall meet  
24 the guidelines for assessment development and use prescribed by  
25 the American Psychological Association, the National Council  
26 on Measurement in Education, and the American Educational

1 Research Association.

2 The State Board of Education shall review the use of all  
3 assessment item types in order to ensure that they are valid  
4 and reliable indicators of student performance aligned to the  
5 learning standards being assessed and that the development,  
6 administration, and scoring of these item types are justifiable  
7 in terms of cost.

8 (j) The State Superintendent of Education shall appoint a  
9 committee of no more than 20 members, consisting of parents,  
10 teachers, school administrators, assessment experts, and  
11 concerned citizens, to review the State assessments  
12 administered by the State Board of Education. The Committee  
13 shall select one of the parent representatives as its  
14 chairperson. The Committee shall meet on an ongoing basis to  
15 review the content and design of the assessments (including  
16 whether the requirements of subsection (i) of this Section have  
17 been met), the time and money expended at the local and State  
18 levels to prepare for and administer the assessments, the  
19 collective results of the assessments as measured against the  
20 stated purpose of assessing student performance, and other  
21 issues involving the assessments identified by the Committee.  
22 The Committee shall make periodic recommendations to the State  
23 Superintendent of Education and the General Assembly  
24 concerning the assessments.

25 (k) The State Board of Education may adopt rules to  
26 implement this Section.

1 (105 ILCS 5/10-20.9a) (from Ch. 122, par. 10-20.9a)

2 Sec. 10-20.9a. Final Grade; Promotion.

3 (a) Teachers shall administer the approved marking system  
4 or other approved means of evaluating pupil progress. The  
5 teacher shall maintain the responsibility and right to  
6 determine grades and other evaluations of students within the  
7 grading policies of the district based upon his or her  
8 professional judgment of available criteria pertinent to any  
9 given subject area or activity for which he or she is  
10 responsible. District policy shall provide the procedure and  
11 reasons by and for which a grade may be changed; provided that  
12 no grade or evaluation shall be changed without notification to  
13 the teacher concerning the nature and reasons for such change.  
14 If such a change is made, the person making the change shall  
15 assume such responsibility for determining the grade or  
16 evaluation, and shall initial such change.

17 (b) School districts shall not promote students to the next  
18 higher grade level based upon age or any other social reasons  
19 not related to the academic performance of the students. On or  
20 before September 1, 1998, school boards shall adopt and enforce  
21 a policy on promotion as they deem necessary to ensure that  
22 students meet local goals and objectives and can perform at the  
23 expected grade level prior to promotion. Decisions to promote  
24 or retain students in any classes shall be based on successful  
25 completion of the curriculum, attendance, performance based on

1 the assessments required under Section 2-3.64a-5 of this Code  
2 ~~Illinois Goals and Assessment Program tests~~, the Iowa Test of  
3 Basic Skills, or other testing or any other criteria  
4 established by the school board. Students determined by the  
5 local district to not qualify for promotion to the next higher  
6 grade shall be provided remedial assistance, which may include,  
7 but shall not be limited to, a summer bridge program of no less  
8 than 90 hours, tutorial sessions, increased or concentrated  
9 instructional time, modifications to instructional materials,  
10 and retention in grade.

11 (Source: P.A. 89-610, eff. 8-6-96; 90-548, eff. 1-1-98.)

12 (105 ILCS 5/10-29)

13 Sec. 10-29. Remote educational programs.

14 (a) For purposes of this Section, "remote educational  
15 program" means an educational program delivered to students in  
16 the home or other location outside of a school building that  
17 meets all of the following criteria:

18 (1) A student may participate in the program only after  
19 the school district, pursuant to adopted school board  
20 policy, and a person authorized to enroll the student under  
21 Section 10-20.12b of this Code determine that a remote  
22 educational program will best serve the student's  
23 individual learning needs. The adopted school board policy  
24 shall include, but not be limited to, all of the following:

25 (A) Criteria for determining that a remote

1 educational program will best serve a student's  
2 individual learning needs. The criteria must include  
3 consideration of, at a minimum, a student's prior  
4 attendance, disciplinary record, and academic history.

5 (B) Any limitations on the number of students or  
6 grade levels that may participate in a remote  
7 educational program.

8 (C) A description of the process that the school  
9 district will use to approve participation in the  
10 remote educational program. The process must include  
11 without limitation a requirement that, for any student  
12 who qualifies to receive services pursuant to the  
13 federal Individuals with Disabilities Education  
14 Improvement Act of 2004, the student's participation  
15 in a remote educational program receive prior approval  
16 from the student's individualized education program  
17 team.

18 (D) A description of the process the school  
19 district will use to develop and approve a written  
20 remote educational plan that meets the requirements of  
21 subdivision (5) of this subsection (a).

22 (E) A description of the system the school district  
23 will establish to calculate the number of clock hours a  
24 student is participating in instruction in accordance  
25 with the remote educational program.

26 (F) A description of the process for renewing a

1 remote educational program at the expiration of its  
2 term.

3 (G) Such other terms and provisions as the school  
4 district deems necessary to provide for the  
5 establishment and delivery of a remote educational  
6 program.

7 (2) The school district has determined that the remote  
8 educational program's curriculum is aligned to State  
9 learning standards and that the program offers instruction  
10 and educational experiences consistent with those given to  
11 students at the same grade level in the district.

12 (3) The remote educational program is delivered by  
13 instructors that meet the following qualifications:

14 (A) they are certificated under Article 21 of this  
15 Code;

16 (B) they meet applicable highly qualified criteria  
17 under the federal No Child Left Behind Act of 2001; and

18 (C) they have responsibility for all of the  
19 following elements of the program: planning  
20 instruction, diagnosing learning needs, prescribing  
21 content delivery through class activities, assessing  
22 learning, reporting outcomes to administrators and  
23 parents and guardians, and evaluating the effects of  
24 instruction.

25 (4) During the period of time from and including the  
26 opening date to the closing date of the regular school term

1 of the school district established pursuant to Section  
2 10-19 of this Code, participation in a remote educational  
3 program may be claimed for general State aid purposes under  
4 Section 18-8.05 of this Code on any calendar day,  
5 notwithstanding whether the day is a day of pupil  
6 attendance or institute day on the school district's  
7 calendar or any other provision of law restricting  
8 instruction on that day. If the district holds year-round  
9 classes in some buildings, the district shall classify each  
10 student's participation in a remote educational program as  
11 either on a year-round or a non-year-round schedule for  
12 purposes of claiming general State aid. Outside of the  
13 regular school term of the district, the remote educational  
14 program may be offered as part of any summer school program  
15 authorized by this Code.

16 (5) Each student participating in a remote educational  
17 program must have a written remote educational plan that  
18 has been approved by the school district and a person  
19 authorized to enroll the student under Section 10-20.12b of  
20 this Code. The school district and a person authorized to  
21 enroll the student under Section 10-20.12b of this Code  
22 must approve any amendment to a remote educational plan.  
23 The remote educational plan must include, but is not  
24 limited to, all of the following:

25 (A) Specific achievement goals for the student  
26 aligned to State learning standards.

1           (B) A description of all assessments that will be  
2 used to measure student progress, which description  
3 shall indicate the assessments that will be  
4 administered at an attendance center within the school  
5 district.

6           (C) A description of the progress reports that will  
7 be provided to the school district and the person or  
8 persons authorized to enroll the student under Section  
9 10-20.12b of this Code.

10           (D) Expectations, processes, and schedules for  
11 interaction between a teacher and student.

12           (E) A description of the specific responsibilities  
13 of the student's family and the school district with  
14 respect to equipment, materials, phone and Internet  
15 service, and any other requirements applicable to the  
16 home or other location outside of a school building  
17 necessary for the delivery of the remote educational  
18 program.

19           (F) If applicable, a description of how the remote  
20 educational program will be delivered in a manner  
21 consistent with the student's individualized education  
22 program required by Section 614(d) of the federal  
23 Individuals with Disabilities Education Improvement  
24 Act of 2004 or plan to ensure compliance with Section  
25 504 of the federal Rehabilitation Act of 1973.

26           (G) A description of the procedures and

1 opportunities for participation in academic and  
2 extra-curricular activities and programs within the  
3 school district.

4 (H) The identification of a parent, guardian, or  
5 other responsible adult who will provide direct  
6 supervision of the program. The plan must include an  
7 acknowledgment by the parent, guardian, or other  
8 responsible adult that he or she may engage only in  
9 non-teaching duties not requiring instructional  
10 judgment or the evaluation of a student. The plan shall  
11 designate the parent, guardian, or other responsible  
12 adult as non-teaching personnel or volunteer personnel  
13 under subsection (a) of Section 10-22.34 of this Code.

14 (I) The identification of a school district  
15 administrator who will oversee the remote educational  
16 program on behalf of the school district and who may be  
17 contacted by the student's parents with respect to any  
18 issues or concerns with the program.

19 (J) The term of the student's participation in the  
20 remote educational program, which may not extend for  
21 longer than 12 months, unless the term is renewed by  
22 the district in accordance with subdivision (7) of this  
23 subsection (a).

24 (K) A description of the specific location or  
25 locations in which the program will be delivered. If  
26 the remote educational program is to be delivered to a

1 student in any location other than the student's home,  
2 the plan must include a written determination by the  
3 school district that the location will provide a  
4 learning environment appropriate for the delivery of  
5 the program. The location or locations in which the  
6 program will be delivered shall be deemed a long  
7 distance teaching reception area under subsection (a)  
8 of Section 10-22.34 of this Code.

9 (L) Certification by the school district that the  
10 plan meets all other requirements of this Section.

11 (6) Students participating in a remote educational  
12 program must be enrolled in a school district attendance  
13 center pursuant to the school district's enrollment policy  
14 or policies. A student participating in a remote  
15 educational program must be tested as part of all  
16 assessments administered by the school district pursuant  
17 to Section 2-3.64a-5 ~~2-3.64~~ of this Code at the attendance  
18 center in which the student is enrolled and in accordance  
19 with the attendance center's assessment policies and  
20 schedule. The student must be included within all adequate  
21 yearly progress and other accountability determinations  
22 for the school district and attendance center under State  
23 and federal law.

24 (7) The term of a student's participation in a remote  
25 educational program may not extend for longer than 12  
26 months, unless the term is renewed by the school district.

1           The district may only renew a student's participation in a  
2           remote educational program following an evaluation of the  
3           student's progress in the program, a determination that the  
4           student's continuation in the program will best serve the  
5           student's individual learning needs, and an amendment to  
6           the student's written remote educational plan addressing  
7           any changes for the upcoming term of the program.

8           (b) A school district may, by resolution of its school  
9           board, establish a remote educational program.

10          (c) Clock hours of instruction by students in a remote  
11          educational program meeting the requirements of this Section  
12          may be claimed by the school district and shall be counted as  
13          school work for general State aid purposes in accordance with  
14          and subject to the limitations of Section 18-8.05 of this Code.

15          (d) The impact of remote educational programs on wages,  
16          hours, and terms and conditions of employment of educational  
17          employees within the school district shall be subject to local  
18          collective bargaining agreements.

19          (e) The use of a home or other location outside of a school  
20          building for a remote educational program shall not cause the  
21          home or other location to be deemed a public school facility.

22          (f) A remote educational program may be used, but is not  
23          required, for instruction delivered to a student in the home or  
24          other location outside of a school building that is not claimed  
25          for general State aid purposes under Section 18-8.05 of this  
26          Code.

1 (g) School districts that, pursuant to this Section, adopt  
2 a policy for a remote educational program must submit to the  
3 State Board of Education a copy of the policy and any  
4 amendments thereto, as well as data on student participation in  
5 a format specified by the State Board of Education. The State  
6 Board of Education may perform or contract with an outside  
7 entity to perform an evaluation of remote educational programs  
8 in this State.

9 (h) The State Board of Education may adopt any rules  
10 necessary to ensure compliance by remote educational programs  
11 with the requirements of this Section and other applicable  
12 legal requirements.

13 (Source: P.A. 96-684, eff. 8-25-09; 97-339, eff. 8-12-11.)

14 (105 ILCS 5/13A-11)

15 Sec. 13A-11. Chicago public schools.

16 (a) The Chicago Board of Education may establish  
17 alternative schools within Chicago and may contract with third  
18 parties for services otherwise performed by employees,  
19 including those in a bargaining unit, in accordance with  
20 Sections 34-8.1, 34-18, and 34-49.

21 (b) Alternative schools operated by third parties within  
22 Chicago shall be exempt from all provisions of this ~~the School~~  
23 Code, except provisions concerning:

24 (1) student ~~Student~~ civil rights;

25 (2) staff ~~Staff~~ civil rights;

- 1           (3) health ~~Health~~ and safety;
- 2           (4) performance ~~Performance~~ and financial audits;
- 3           (5) the assessments required under Section 2-3.64a-5
- 4           of this Code ~~The Illinois Goals Assessment Program~~;
- 5           (6) Chicago learning outcomes;
- 6           (7) Sections 2-3.25a through 2-3.25j of this ~~the School~~
- 7           Code;
- 8           (8) the ~~The~~ Inspector General; and
- 9           (9) Section 34-2.4b of this ~~the School~~ Code.

10        (Source: P.A. 89-383, eff. 8-18-95; 89-636, eff. 8-9-96.)

11           (105 ILCS 5/13B-25.25)

12           Sec. 13B-25.25. Testing and assessment. A district plan for

13           an alternative learning opportunities program operated through

14           a cooperative or intergovernmental agreement must provide

15           procedures for ensuring that students are included in the

16           administration of statewide testing programs. Students

17           enrolled in an alternative learning opportunities program

18           shall participate in State assessments under Section 2-3.64a-5

19           ~~2-3.64~~ of this Code.

20        (Source: P.A. 92-42, eff. 1-1-02.)

21           (105 ILCS 5/18-8.05)

22           Sec. 18-8.05. Basis for apportionment of general State

23           financial aid and supplemental general State aid to the common

24           schools for the 1998-1999 and subsequent school years.

1 (A) General Provisions.

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

18 (2) In addition to general State financial aid, school  
19 districts with specified levels or concentrations of pupils  
20 from low income households are eligible to receive supplemental  
21 general State financial aid grants as provided pursuant to  
22 subsection (H). The supplemental State aid grants provided for  
23 school districts under subsection (H) shall be appropriated for  
24 distribution to school districts as part of the same line item  
25 in which the general State financial aid of school districts is

1 appropriated under this Section.

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

5 (a) Any school district which fails for any given  
6 school year to maintain school as required by law, or to  
7 maintain a recognized school is not eligible to file for  
8 such school year any claim upon the Common School Fund. In  
9 case of nonrecognition of one or more attendance centers in  
10 a school district otherwise operating recognized schools,  
11 the claim of the district shall be reduced in the  
12 proportion which the Average Daily Attendance in the  
13 attendance center or centers bear to the Average Daily  
14 Attendance in the school district. A "recognized school"  
15 means any public school which meets the standards as  
16 established for recognition by the State Board of  
17 Education. A school district or attendance center not  
18 having recognition status at the end of a school term is  
19 entitled to receive State aid payments due upon a legal  
20 claim which was filed while it was recognized.

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

24 (c) If a school district operates a full year school  
25 under Section 10-19.1, the general State aid to the school  
26 district shall be determined by the State Board of

1 Education in accordance with this Section as near as may be  
2 applicable.

3 (d) (Blank).

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

8 School districts are not required to exert a minimum  
9 Operating Tax Rate in order to qualify for assistance under  
10 this Section.

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

13 (a) "Average Daily Attendance": A count of pupil  
14 attendance in school, averaged as provided for in  
15 subsection (C) and utilized in deriving per pupil financial  
16 support levels.

17 (b) "Available Local Resources": A computation of  
18 local financial support, calculated on the basis of Average  
19 Daily Attendance and derived as provided pursuant to  
20 subsection (D).

21 (c) "Corporate Personal Property Replacement Taxes":  
22 Funds paid to local school districts pursuant to "An Act in  
23 relation to the abolition of ad valorem personal property  
24 tax and the replacement of revenues lost thereby, and  
25 amending and repealing certain Acts and parts of Acts in  
26 connection therewith", certified August 14, 1979, as

1 amended (Public Act 81-1st S.S.-1).

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

4 (e) "Operating Tax Rate": All school district property  
5 taxes extended for all purposes, except Bond and Interest,  
6 Summer School, Rent, Capital Improvement, and Vocational  
7 Education Building purposes.

8 (B) Foundation Level.

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

19 (2) For the 1998-1999 school year, the Foundation Level of  
20 support is \$4,225. For the 1999-2000 school year, the  
21 Foundation Level of support is \$4,325. For the 2000-2001 school  
22 year, the Foundation Level of support is \$4,425. For the  
23 2001-2002 school year and 2002-2003 school year, the Foundation  
24 Level of support is \$4,560. For the 2003-2004 school year, the  
25 Foundation Level of support is \$4,810. For the 2004-2005 school

1 year, the Foundation Level of support is \$4,964. For the  
2 2005-2006 school year, the Foundation Level of support is  
3 \$5,164. For the 2006-2007 school year, the Foundation Level of  
4 support is \$5,334. For the 2007-2008 school year, the  
5 Foundation Level of support is \$5,734. For the 2008-2009 school  
6 year, the Foundation Level of support is \$5,959.

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

11 (C) Average Daily Attendance.

12 (1) For purposes of calculating general State aid pursuant  
13 to subsection (E), an Average Daily Attendance figure shall be  
14 utilized. The Average Daily Attendance figure for formula  
15 calculation purposes shall be the monthly average of the actual  
16 number of pupils in attendance of each school district, as  
17 further averaged for the best 3 months of pupil attendance for  
18 each school district. In compiling the figures for the number  
19 of pupils in attendance, school districts and the State Board  
20 of Education shall, for purposes of general State aid funding,  
21 conform attendance figures to the requirements of subsection  
22 (F).

23 (2) The Average Daily Attendance figures utilized in  
24 subsection (E) shall be the requisite attendance data for the  
25 school year immediately preceding the school year for which

1 general State aid is being calculated or the average of the  
2 attendance data for the 3 preceding school years, whichever is  
3 greater. The Average Daily Attendance figures utilized in  
4 subsection (H) shall be the requisite attendance data for the  
5 school year immediately preceding the school year for which  
6 general State aid is being calculated.

7 (D) Available Local Resources.

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

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

24 (3) For school districts maintaining grades kindergarten  
25 through 12, local property tax revenues per pupil shall be

1 calculated as the product of the applicable equalized assessed  
2 valuation for the district multiplied by 3.00%, and divided by  
3 the district's Average Daily Attendance figure. For school  
4 districts maintaining grades kindergarten through 8, local  
5 property tax revenues per pupil shall be calculated as the  
6 product of the applicable equalized assessed valuation for the  
7 district multiplied by 2.30%, and divided by the district's  
8 Average Daily Attendance figure. For school districts  
9 maintaining grades 9 through 12, local property tax revenues  
10 per pupil shall be the applicable equalized assessed valuation  
11 of the district multiplied by 1.05%, and divided by the  
12 district's Average Daily Attendance figure.

13 For partial elementary unit districts created pursuant to  
14 Article 11E of this Code, local property tax revenues per pupil  
15 shall be calculated as the product of the equalized assessed  
16 valuation for property within the partial elementary unit  
17 district for elementary purposes, as defined in Article 11E of  
18 this Code, multiplied by 2.06% and divided by the district's  
19 Average Daily Attendance figure, plus the product of the  
20 equalized assessed valuation for property within the partial  
21 elementary unit district for high school purposes, as defined  
22 in Article 11E of this Code, multiplied by 0.94% and divided by  
23 the district's Average Daily Attendance figure.

24 (4) The Corporate Personal Property Replacement Taxes paid  
25 to each school district during the calendar year one year  
26 before the calendar year in which a school year begins, divided

1 by the Average Daily Attendance figure for that district, shall  
2 be added to the local property tax revenues per pupil as  
3 derived by the application of the immediately preceding  
4 paragraph (3). The sum of these per pupil figures for each  
5 school district shall constitute Available Local Resources as  
6 that term is utilized in subsection (E) in the calculation of  
7 general State aid.

8 (E) Computation of General State Aid.

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

12 (2) For any school district for which Available Local  
13 Resources per pupil is less than the product of 0.93 times the  
14 Foundation Level, general State aid for that district shall be  
15 calculated as an amount equal to the Foundation Level minus  
16 Available Local Resources, multiplied by the Average Daily  
17 Attendance of the school district.

18 (3) For any school district for which Available Local  
19 Resources per pupil is equal to or greater than the product of  
20 0.93 times the Foundation Level and less than the product of  
21 1.75 times the Foundation Level, the general State aid per  
22 pupil shall be a decimal proportion of the Foundation Level  
23 derived using a linear algorithm. Under this linear algorithm,  
24 the calculated general State aid per pupil shall decline in  
25 direct linear fashion from 0.07 times the Foundation Level for

1 a school district with Available Local Resources equal to the  
2 product of 0.93 times the Foundation Level, to 0.05 times the  
3 Foundation Level for a school district with Available Local  
4 Resources equal to the product of 1.75 times the Foundation  
5 Level. The allocation of general State aid for school districts  
6 subject to this paragraph 3 shall be the calculated general  
7 State aid per pupil figure multiplied by the Average Daily  
8 Attendance of the school district.

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

14 (5) The amount of general State aid allocated to a school  
15 district for the 1999-2000 school year meeting the requirements  
16 set forth in paragraph (4) of subsection (G) shall be increased  
17 by an amount equal to the general State aid that would have  
18 been received by the district for the 1998-1999 school year by  
19 utilizing the Extension Limitation Equalized Assessed  
20 Valuation as calculated in paragraph (4) of subsection (G) less  
21 the general State aid allotted for the 1998-1999 school year.  
22 This amount shall be deemed a one time increase, and shall not  
23 affect any future general State aid allocations.

24 (F) Compilation of Average Daily Attendance.

25 (1) Each school district shall, by July 1 of each year,

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

10 (a) In districts that do not hold year-round classes,  
11 days of attendance in August shall be added to the month of  
12 September and any days of attendance in June shall be added  
13 to the month of May.

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

18 (c) In districts in which some buildings, but not all,  
19 hold year-round classes, for the non-year-round buildings,  
20 days of attendance in August shall be added to the month of  
21 September and any days of attendance in June shall be added  
22 to the month of May. The average daily attendance for the  
23 year-round buildings shall be computed as provided in  
24 subdivision (b) of this paragraph (1). To calculate the  
25 Average Daily Attendance for the district, the average  
26 daily attendance for the year-round buildings shall be

1 multiplied by the days in session for the non-year-round  
2 buildings for each month and added to the monthly  
3 attendance of the non-year-round buildings.

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

13 Days of attendance by tuition pupils shall be accredited  
14 only to the districts that pay the tuition to a recognized  
15 school.

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

19 (a) Pupils regularly enrolled in a public school for  
20 only a part of the school day may be counted on the basis  
21 of 1/6 day for every class hour of instruction of 40  
22 minutes or more attended pursuant to such enrollment,  
23 unless a pupil is enrolled in a block-schedule format of 80  
24 minutes or more of instruction, in which case the pupil may  
25 be counted on the basis of the proportion of minutes of  
26 school work completed each day to the minimum number of

1 minutes that school work is required to be held that day.

2 (b) (Blank).

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

8 (d) A session of 3 or more clock hours may be counted  
9 as a day of attendance (1) when the remainder of the school  
10 day or at least 2 hours in the evening of that day is  
11 utilized for an in-service training program for teachers,  
12 up to a maximum of 5 days per school year, provided a  
13 district conducts an in-service training program for  
14 teachers in accordance with Section 10-22.39 of this Code;  
15 or, in lieu of 4 such days, 2 full days may be used, in  
16 which event each such day may be counted as a day required  
17 for a legal school calendar pursuant to Section 10-19 of  
18 this Code; (1.5) when, of the 5 days allowed under item  
19 (1), a maximum of 4 days are used for parent-teacher  
20 conferences, or, in lieu of 4 such days, 2 full days are  
21 used, in which case each such day may be counted as a  
22 calendar day required under Section 10-19 of this Code,  
23 provided that the full-day, parent-teacher conference  
24 consists of (i) a minimum of 5 clock hours of  
25 parent-teacher conferences, (ii) both a minimum of 2 clock  
26 hours of parent-teacher conferences held in the evening

1 following a full day of student attendance, as specified in  
2 subsection (F)(1)(c), and a minimum of 3 clock hours of  
3 parent-teacher conferences held on the day immediately  
4 following evening parent-teacher conferences, or (iii)  
5 multiple parent-teacher conferences held in the evenings  
6 following full days of student attendance, as specified in  
7 subsection (F)(1)(c), in which the time used for the  
8 parent-teacher conferences is equivalent to a minimum of 5  
9 clock hours; and (2) when days in addition to those  
10 provided in items (1) and (1.5) are scheduled by a school  
11 pursuant to its school improvement plan adopted under  
12 Article 34 or its revised or amended school improvement  
13 plan adopted under Article 2, provided that (i) such  
14 sessions of 3 or more clock hours are scheduled to occur at  
15 regular intervals, (ii) the remainder of the school days in  
16 which such sessions occur are utilized for in-service  
17 training programs or other staff development activities  
18 for teachers, and (iii) a sufficient number of minutes of  
19 school work under the direct supervision of teachers are  
20 added to the school days between such regularly scheduled  
21 sessions to accumulate not less than the number of minutes  
22 by which such sessions of 3 or more clock hours fall short  
23 of 5 clock hours. Any full days used for the purposes of  
24 this paragraph shall not be considered for computing  
25 average daily attendance. Days scheduled for in-service  
26 training programs, staff development activities, or

1 parent-teacher conferences may be scheduled separately for  
2 different grade levels and different attendance centers of  
3 the district.

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

10 (f) A session of at least 4 clock hours may be counted  
11 as a day of attendance for first grade pupils, and pupils  
12 in full day kindergartens, and a session of 2 or more hours  
13 may be counted as 1/2 day of attendance by pupils in  
14 kindergartens which provide only 1/2 day of attendance.

15 (g) For children with disabilities who are below the  
16 age of 6 years and who cannot attend 2 or more clock hours  
17 because of their disability or immaturity, a session of not  
18 less than one clock hour may be counted as 1/2 day of  
19 attendance; however for such children whose educational  
20 needs so require a session of 4 or more clock hours may be  
21 counted as a full day of attendance.

22 (h) A recognized kindergarten which provides for only  
23 1/2 day of attendance by each pupil shall not have more  
24 than 1/2 day of attendance counted in any one day. However,  
25 kindergartens may count 2 1/2 days of attendance in any 5  
26 consecutive school days. When a pupil attends such a

1 kindergarten for 2 half days on any one school day, the  
2 pupil shall have the following day as a day absent from  
3 school, unless the school district obtains permission in  
4 writing from the State Superintendent of Education.  
5 Attendance at kindergartens which provide for a full day of  
6 attendance by each pupil shall be counted the same as  
7 attendance by first grade pupils. Only the first year of  
8 attendance in one kindergarten shall be counted, except in  
9 case of children who entered the kindergarten in their  
10 fifth year whose educational development requires a second  
11 year of kindergarten as determined under the rules and  
12 regulations of the State Board of Education.

13 (i) On the days when the assessment that includes a  
14 college and career ready determination ~~Prairie State~~  
15 ~~Achievement Examination~~ is administered under subsection  
16 (c) of Section 2-3.64a-5 ~~2-3.64~~ of this Code, the day of  
17 attendance for a pupil whose school day must be shortened  
18 to accommodate required testing procedures may be less than  
19 5 clock hours and shall be counted towards the 176 days of  
20 actual pupil attendance required under Section 10-19 of  
21 this Code, provided that a sufficient number of minutes of  
22 school work in excess of 5 clock hours are first completed  
23 on other school days to compensate for the loss of school  
24 work on the examination days.

25 (j) Pupils enrolled in a remote educational program  
26 established under Section 10-29 of this Code may be counted

1 on the basis of one-fifth day of attendance for every clock  
2 hour of instruction attended in the remote educational  
3 program, provided that, in any month, the school district  
4 may not claim for a student enrolled in a remote  
5 educational program more days of attendance than the  
6 maximum number of days of attendance the district can claim  
7 (i) for students enrolled in a building holding year-round  
8 classes if the student is classified as participating in  
9 the remote educational program on a year-round schedule or  
10 (ii) for students enrolled in a building not holding  
11 year-round classes if the student is not classified as  
12 participating in the remote educational program on a  
13 year-round schedule.

14 (G) Equalized Assessed Valuation Data.

15 (1) For purposes of the calculation of Available Local  
16 Resources required pursuant to subsection (D), the State Board  
17 of Education shall secure from the Department of Revenue the  
18 value as equalized or assessed by the Department of Revenue of  
19 all taxable property of every school district, together with  
20 (i) the applicable tax rate used in extending taxes for the  
21 funds of the district as of September 30 of the previous year  
22 and (ii) the limiting rate for all school districts subject to  
23 property tax extension limitations as imposed under the  
24 Property Tax Extension Limitation Law.

25 The Department of Revenue shall add to the equalized

1 assessed value of all taxable property of each school district  
2 situated entirely or partially within a county that is or was  
3 subject to the provisions of Section 15-176 or 15-177 of the  
4 Property Tax Code (a) an amount equal to the total amount by  
5 which the homestead exemption allowed under Section 15-176 or  
6 15-177 of the Property Tax Code for real property situated in  
7 that school district exceeds the total amount that would have  
8 been allowed in that school district if the maximum reduction  
9 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in  
10 all other counties in tax year 2003 or (ii) \$5,000 in all  
11 counties in tax year 2004 and thereafter and (b) an amount  
12 equal to the aggregate amount for the taxable year of all  
13 additional exemptions under Section 15-175 of the Property Tax  
14 Code for owners with a household income of \$30,000 or less. The  
15 county clerk of any county that is or was subject to the  
16 provisions of Section 15-176 or 15-177 of the Property Tax Code  
17 shall annually calculate and certify to the Department of  
18 Revenue for each school district all homestead exemption  
19 amounts under Section 15-176 or 15-177 of the Property Tax Code  
20 and all amounts of additional exemptions under Section 15-175  
21 of the Property Tax Code for owners with a household income of  
22 \$30,000 or less. It is the intent of this paragraph that if the  
23 general homestead exemption for a parcel of property is  
24 determined under Section 15-176 or 15-177 of the Property Tax  
25 Code rather than Section 15-175, then the calculation of  
26 Available Local Resources shall not be affected by the

1 difference, if any, between the amount of the general homestead  
2 exemption allowed for that parcel of property under Section  
3 15-176 or 15-177 of the Property Tax Code and the amount that  
4 would have been allowed had the general homestead exemption for  
5 that parcel of property been determined under Section 15-175 of  
6 the Property Tax Code. It is further the intent of this  
7 paragraph that if additional exemptions are allowed under  
8 Section 15-175 of the Property Tax Code for owners with a  
9 household income of less than \$30,000, then the calculation of  
10 Available Local Resources shall not be affected by the  
11 difference, if any, because of those additional exemptions.

12 This equalized assessed valuation, as adjusted further by  
13 the requirements of this subsection, shall be utilized in the  
14 calculation of Available Local Resources.

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

17 (a) For the purposes of calculating State aid under  
18 this Section, with respect to any part of a school district  
19 within a redevelopment project area in respect to which a  
20 municipality has adopted tax increment allocation  
21 financing pursuant to the Tax Increment Allocation  
22 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11  
23 of the Illinois Municipal Code or the Industrial Jobs  
24 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the  
25 Illinois Municipal Code, no part of the current equalized  
26 assessed valuation of real property located in any such

1 project area which is attributable to an increase above the  
2 total initial equalized assessed valuation of such  
3 property shall be used as part of the equalized assessed  
4 valuation of the district, until such time as all  
5 redevelopment project costs have been paid, as provided in  
6 Section 11-74.4-8 of the Tax Increment Allocation  
7 Redevelopment Act or in Section 11-74.6-35 of the  
8 Industrial Jobs Recovery Law. For the purpose of the  
9 equalized assessed valuation of the district, the total  
10 initial equalized assessed valuation or the current  
11 equalized assessed valuation, whichever is lower, shall be  
12 used until such time as all redevelopment project costs  
13 have been paid.

14 (b) The real property equalized assessed valuation for  
15 a school district shall be adjusted by subtracting from the  
16 real property value as equalized or assessed by the  
17 Department of Revenue for the district an amount computed  
18 by dividing the amount of any abatement of taxes under  
19 Section 18-170 of the Property Tax Code by 3.00% for a  
20 district maintaining grades kindergarten through 12, by  
21 2.30% for a district maintaining grades kindergarten  
22 through 8, or by 1.05% for a district maintaining grades 9  
23 through 12 and adjusted by an amount computed by dividing  
24 the amount of any abatement of taxes under subsection (a)  
25 of Section 18-165 of the Property Tax Code by the same  
26 percentage rates for district type as specified in this

1           subparagraph (b).

2           (3) For the 1999-2000 school year and each school year  
3 thereafter, if a school district meets all of the criteria of  
4 this subsection (G) (3), the school district's Available Local  
5 Resources shall be calculated under subsection (D) using the  
6 district's Extension Limitation Equalized Assessed Valuation  
7 as calculated under this subsection (G) (3).

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

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

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

14           "Preceding Tax Year": The property tax levy year  
15 immediately preceding the Base Tax Year.

16           "Base Tax Year's Tax Extension": The product of the  
17 equalized assessed valuation utilized by the County Clerk  
18 in the Base Tax Year multiplied by the limiting rate as  
19 calculated by the County Clerk and defined in the Property  
20 Tax Extension Limitation Law.

21           "Preceding Tax Year's Tax Extension": The product of  
22 the equalized assessed valuation utilized by the County  
23 Clerk in the Preceding Tax Year multiplied by the Operating  
24 Tax Rate as defined in subsection (A).

25           "Extension Limitation Ratio": A numerical ratio,  
26 certified by the County Clerk, in which the numerator is

1 the Base Tax Year's Tax Extension and the denominator is  
2 the Preceding Tax Year's Tax Extension.

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

5 If a school district is subject to property tax extension  
6 limitations as imposed under the Property Tax Extension  
7 Limitation Law, the State Board of Education shall calculate  
8 the Extension Limitation Equalized Assessed Valuation of that  
9 district. For the 1999-2000 school year, the Extension  
10 Limitation Equalized Assessed Valuation of a school district as  
11 calculated by the State Board of Education shall be equal to  
12 the product of the district's 1996 Equalized Assessed Valuation  
13 and the district's Extension Limitation Ratio. Except as  
14 otherwise provided in this paragraph for a school district that  
15 has approved or does approve an increase in its limiting rate,  
16 for the 2000-2001 school year and each school year thereafter,  
17 the Extension Limitation Equalized Assessed Valuation of a  
18 school district as calculated by the State Board of Education  
19 shall be equal to the product of the Equalized Assessed  
20 Valuation last used in the calculation of general State aid and  
21 the district's Extension Limitation Ratio. If the Extension  
22 Limitation Equalized Assessed Valuation of a school district as  
23 calculated under this subsection (G)(3) is less than the  
24 district's equalized assessed valuation as calculated pursuant  
25 to subsections (G)(1) and (G)(2), then for purposes of  
26 calculating the district's general State aid for the Budget

1 Year pursuant to subsection (E), that Extension Limitation  
2 Equalized Assessed Valuation shall be utilized to calculate the  
3 district's Available Local Resources under subsection (D). For  
4 the 2009-2010 school year and each school year thereafter, if a  
5 school district has approved or does approve an increase in its  
6 limiting rate, pursuant to Section 18-190 of the Property Tax  
7 Code, affecting the Base Tax Year, the Extension Limitation  
8 Equalized Assessed Valuation of the school district, as  
9 calculated by the State Board of Education, shall be equal to  
10 the product of the Equalized Assessed Valuation last used in  
11 the calculation of general State aid times an amount equal to  
12 one plus the percentage increase, if any, in the Consumer Price  
13 Index for all Urban Consumers for all items published by the  
14 United States Department of Labor for the 12-month calendar  
15 year preceding the Base Tax Year, plus the Equalized Assessed  
16 Valuation of new property, annexed property, and recovered tax  
17 increment value and minus the Equalized Assessed Valuation of  
18 disconnected property. New property and recovered tax  
19 increment value shall have the meanings set forth in the  
20 Property Tax Extension Limitation Law.

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

25 (3.5) For the 2010-2011 school year and each school year  
26 thereafter, if a school district's boundaries span multiple

1 counties, then the Department of Revenue shall send to the  
2 State Board of Education, for the purpose of calculating  
3 general State aid, the limiting rate and individual rates by  
4 purpose for the county that contains the majority of the school  
5 district's Equalized Assessed Valuation.

6 (4) For the purposes of calculating general State aid for  
7 the 1999-2000 school year only, if a school district  
8 experienced a triennial reassessment on the equalized assessed  
9 valuation used in calculating its general State financial aid  
10 apportionment for the 1998-1999 school year, the State Board of  
11 Education shall calculate the Extension Limitation Equalized  
12 Assessed Valuation that would have been used to calculate the  
13 district's 1998-1999 general State aid. This amount shall equal  
14 the product of the equalized assessed valuation used to  
15 calculate general State aid for the 1997-1998 school year and  
16 the district's Extension Limitation Ratio. If the Extension  
17 Limitation Equalized Assessed Valuation of the school district  
18 as calculated under this paragraph (4) is less than the  
19 district's equalized assessed valuation utilized in  
20 calculating the district's 1998-1999 general State aid  
21 allocation, then for purposes of calculating the district's  
22 general State aid pursuant to paragraph (5) of subsection (E),  
23 that Extension Limitation Equalized Assessed Valuation shall  
24 be utilized to calculate the district's Available Local  
25 Resources.

26 (5) For school districts having a majority of their

1 equalized assessed valuation in any county except Cook, DuPage,  
2 Kane, Lake, McHenry, or Will, if the amount of general State  
3 aid allocated to the school district for the 1999-2000 school  
4 year under the provisions of subsection (E), (H), and (J) of  
5 this Section is less than the amount of general State aid  
6 allocated to the district for the 1998-1999 school year under  
7 these subsections, then the general State aid of the district  
8 for the 1999-2000 school year only shall be increased by the  
9 difference between these amounts. The total payments made under  
10 this paragraph (5) shall not exceed \$14,000,000. Claims shall  
11 be prorated if they exceed \$14,000,000.

12 (H) Supplemental General State Aid.

13 (1) In addition to the general State aid a school district  
14 is allotted pursuant to subsection (E), qualifying school  
15 districts shall receive a grant, paid in conjunction with a  
16 district's payments of general State aid, for supplemental  
17 general State aid based upon the concentration level of  
18 children from low-income households within the school  
19 district. Supplemental State aid grants provided for school  
20 districts under this subsection shall be appropriated for  
21 distribution to school districts as part of the same line item  
22 in which the general State financial aid of school districts is  
23 appropriated under this Section.

24 (1.5) This paragraph (1.5) applies only to those school  
25 years preceding the 2003-2004 school year. For purposes of this

1 subsection (H), the term "Low-Income Concentration Level"  
2 shall be the low-income eligible pupil count from the most  
3 recently available federal census divided by the Average Daily  
4 Attendance of the school district. If, however, (i) the  
5 percentage decrease from the 2 most recent federal censuses in  
6 the low-income eligible pupil count of a high school district  
7 with fewer than 400 students exceeds by 75% or more the  
8 percentage change in the total low-income eligible pupil count  
9 of contiguous elementary school districts, whose boundaries  
10 are coterminous with the high school district, or (ii) a high  
11 school district within 2 counties and serving 5 elementary  
12 school districts, whose boundaries are coterminous with the  
13 high school district, has a percentage decrease from the 2 most  
14 recent federal censuses in the low-income eligible pupil count  
15 and there is a percentage increase in the total low-income  
16 eligible pupil count of a majority of the elementary school  
17 districts in excess of 50% from the 2 most recent federal  
18 censuses, then the high school district's low-income eligible  
19 pupil count from the earlier federal census shall be the number  
20 used as the low-income eligible pupil count for the high school  
21 district, for purposes of this subsection (H). The changes made  
22 to this paragraph (1) by Public Act 92-28 shall apply to  
23 supplemental general State aid grants for school years  
24 preceding the 2003-2004 school year that are paid in fiscal  
25 year 1999 or thereafter and to any State aid payments made in  
26 fiscal year 1994 through fiscal year 1998 pursuant to

1 subsection 1(n) of Section 18-8 of this Code (which was  
2 repealed on July 1, 1998), and any high school district that is  
3 affected by Public Act 92-28 is entitled to a recomputation of  
4 its supplemental general State aid grant or State aid paid in  
5 any of those fiscal years. This recomputation shall not be  
6 affected by any other funding.

7 (1.10) This paragraph (1.10) applies to the 2003-2004  
8 school year and each school year thereafter. For purposes of  
9 this subsection (H), the term "Low-Income Concentration Level"  
10 shall, for each fiscal year, be the low-income eligible pupil  
11 count as of July 1 of the immediately preceding fiscal year (as  
12 determined by the Department of Human Services based on the  
13 number of pupils who are eligible for at least one of the  
14 following low income programs: Medicaid, the Children's Health  
15 Insurance Program, TANF, or Food Stamps, excluding pupils who  
16 are eligible for services provided by the Department of  
17 Children and Family Services, averaged over the 2 immediately  
18 preceding fiscal years for fiscal year 2004 and over the 3  
19 immediately preceding fiscal years for each fiscal year  
20 thereafter) divided by the Average Daily Attendance of the  
21 school district.

22 (2) Supplemental general State aid pursuant to this  
23 subsection (H) shall be provided as follows for the 1998-1999,  
24 1999-2000, and 2000-2001 school years only:

25 (a) For any school district with a Low Income  
26 Concentration Level of at least 20% and less than 35%, the

1 grant for any school year shall be \$800 multiplied by the  
2 low income eligible pupil count.

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

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

11 (d) For any school district with a Low Income  
12 Concentration Level of 60% or more, the grant for the  
13 1998-99 school year shall be \$1,900 multiplied by the low  
14 income eligible pupil count.

15 (e) For the 1999-2000 school year, the per pupil amount  
16 specified in subparagraphs (b), (c), and (d) immediately  
17 above shall be increased to \$1,243, \$1,600, and \$2,000,  
18 respectively.

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

23 (2.5) Supplemental general State aid pursuant to this  
24 subsection (H) shall be provided as follows for the 2002-2003  
25 school year:

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

1 Concentration Level of less than 10%, the grant for each  
2 school year shall be \$355 multiplied by the low income  
3 eligible pupil count.

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

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

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

16 (e) For any school district with a Low Income  
17 Concentration Level of at least 50% and less than 60%, the  
18 grant for each school year shall be \$1,680 multiplied by  
19 the low income eligible pupil count.

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

24 (2.10) Except as otherwise provided, supplemental general  
25 State aid pursuant to this subsection (H) shall be provided as  
26 follows for the 2003-2004 school year and each school year

1 thereafter:

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

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

11 For the 2003-2004 school year and each school year  
12 thereafter through the 2008-2009 school year only, the grant  
13 shall be no less than the grant for the 2002-2003 school year.  
14 For the 2009-2010 school year only, the grant shall be no less  
15 than the grant for the 2002-2003 school year multiplied by  
16 0.66. For the 2010-2011 school year only, the grant shall be no  
17 less than the grant for the 2002-2003 school year multiplied by  
18 0.33. Notwithstanding the provisions of this paragraph to the  
19 contrary, if for any school year supplemental general State aid  
20 grants are prorated as provided in paragraph (1) of this  
21 subsection (H), then the grants under this paragraph shall be  
22 prorated.

23 For the 2003-2004 school year only, the grant shall be no  
24 greater than the grant received during the 2002-2003 school  
25 year added to the product of 0.25 multiplied by the difference  
26 between the grant amount calculated under subsection (a) or (b)

1 of this paragraph (2.10), whichever is applicable, and the  
2 grant received during the 2002-2003 school year. For the  
3 2004-2005 school year only, the grant shall be no greater than  
4 the grant received during the 2002-2003 school year added to  
5 the product of 0.50 multiplied by the difference between the  
6 grant amount calculated under subsection (a) or (b) of this  
7 paragraph (2.10), whichever is applicable, and the grant  
8 received during the 2002-2003 school year. For the 2005-2006  
9 school year only, the grant shall be no greater than the grant  
10 received during the 2002-2003 school year added to the product  
11 of 0.75 multiplied by the difference between the grant amount  
12 calculated under subsection (a) or (b) of this paragraph  
13 (2.10), whichever is applicable, and the grant received during  
14 the 2002-2003 school year.

15 (3) School districts with an Average Daily Attendance of  
16 more than 1,000 and less than 50,000 that qualify for  
17 supplemental general State aid pursuant to this subsection  
18 shall submit a plan to the State Board of Education prior to  
19 October 30 of each year for the use of the funds resulting from  
20 this grant of supplemental general State aid for the  
21 improvement of instruction in which priority is given to  
22 meeting the education needs of disadvantaged children. Such  
23 plan shall be submitted in accordance with rules and  
24 regulations promulgated by the State Board of Education.

25 (4) School districts with an Average Daily Attendance of  
26 50,000 or more that qualify for supplemental general State aid

1 pursuant to this subsection shall be required to distribute  
2 from funds available pursuant to this Section, no less than  
3 \$261,000,000 in accordance with the following requirements:

4 (a) The required amounts shall be distributed to the  
5 attendance centers within the district in proportion to the  
6 number of pupils enrolled at each attendance center who are  
7 eligible to receive free or reduced-price lunches or  
8 breakfasts under the federal Child Nutrition Act of 1966  
9 and under the National School Lunch Act during the  
10 immediately preceding school year.

11 (b) The distribution of these portions of supplemental  
12 and general State aid among attendance centers according to  
13 these requirements shall not be compensated for or  
14 contravened by adjustments of the total of other funds  
15 appropriated to any attendance centers, and the Board of  
16 Education shall utilize funding from one or several sources  
17 in order to fully implement this provision annually prior  
18 to the opening of school.

19 (c) Each attendance center shall be provided by the  
20 school district a distribution of noncategorical funds and  
21 other categorical funds to which an attendance center is  
22 entitled under law in order that the general State aid and  
23 supplemental general State aid provided by application of  
24 this subsection supplements rather than supplants the  
25 noncategorical funds and other categorical funds provided  
26 by the school district to the attendance centers.

1           (d) Any funds made available under this subsection that  
2           by reason of the provisions of this subsection are not  
3           required to be allocated and provided to attendance centers  
4           may be used and appropriated by the board of the district  
5           for any lawful school purpose.

6           (e) Funds received by an attendance center pursuant to  
7           this subsection shall be used by the attendance center at  
8           the discretion of the principal and local school council  
9           for programs to improve educational opportunities at  
10          qualifying schools through the following programs and  
11          services: early childhood education, reduced class size or  
12          improved adult to student classroom ratio, enrichment  
13          programs, remedial assistance, attendance improvement, and  
14          other educationally beneficial expenditures which  
15          supplement the regular and basic programs as determined by  
16          the State Board of Education. Funds provided shall not be  
17          expended for any political or lobbying purposes as defined  
18          by board rule.

19          (f) Each district subject to the provisions of this  
20          subdivision (H) (4) shall submit an acceptable plan to meet  
21          the educational needs of disadvantaged children, in  
22          compliance with the requirements of this paragraph, to the  
23          State Board of Education prior to July 15 of each year.  
24          This plan shall be consistent with the decisions of local  
25          school councils concerning the school expenditure plans  
26          developed in accordance with part 4 of Section 34-2.3. The

1 State Board shall approve or reject the plan within 60 days  
2 after its submission. If the plan is rejected, the district  
3 shall give written notice of intent to modify the plan  
4 within 15 days of the notification of rejection and then  
5 submit a modified plan within 30 days after the date of the  
6 written notice of intent to modify. Districts may amend  
7 approved plans pursuant to rules promulgated by the State  
8 Board of Education.

9 Upon notification by the State Board of Education that  
10 the district has not submitted a plan prior to July 15 or a  
11 modified plan within the time period specified herein, the  
12 State aid funds affected by that plan or modified plan  
13 shall be withheld by the State Board of Education until a  
14 plan or modified plan is submitted.

15 If the district fails to distribute State aid to  
16 attendance centers in accordance with an approved plan, the  
17 plan for the following year shall allocate funds, in  
18 addition to the funds otherwise required by this  
19 subsection, to those attendance centers which were  
20 underfunded during the previous year in amounts equal to  
21 such underfunding.

22 For purposes of determining compliance with this  
23 subsection in relation to the requirements of attendance  
24 center funding, each district subject to the provisions of  
25 this subsection shall submit as a separate document by  
26 December 1 of each year a report of expenditure data for

1 the prior year in addition to any modification of its  
2 current plan. If it is determined that there has been a  
3 failure to comply with the expenditure provisions of this  
4 subsection regarding contravention or supplanting, the  
5 State Superintendent of Education shall, within 60 days of  
6 receipt of the report, notify the district and any affected  
7 local school council. The district shall within 45 days of  
8 receipt of that notification inform the State  
9 Superintendent of Education of the remedial or corrective  
10 action to be taken, whether by amendment of the current  
11 plan, if feasible, or by adjustment in the plan for the  
12 following year. Failure to provide the expenditure report  
13 or the notification of remedial or corrective action in a  
14 timely manner shall result in a withholding of the affected  
15 funds.

16 The State Board of Education shall promulgate rules and  
17 regulations to implement the provisions of this  
18 subsection. No funds shall be released under this  
19 subdivision (H) (4) to any district that has not submitted a  
20 plan that has been approved by the State Board of  
21 Education.

22 (I) (Blank).

23 (J) (Blank).

1 (K) Grants to Laboratory and Alternative Schools.

2 In calculating the amount to be paid to the governing board  
3 of a public university that operates a laboratory school under  
4 this Section or to any alternative school that is operated by a  
5 regional superintendent of schools, the State Board of  
6 Education shall require by rule such reporting requirements as  
7 it deems necessary.

8 As used in this Section, "laboratory school" means a public  
9 school which is created and operated by a public university and  
10 approved by the State Board of Education. The governing board  
11 of a public university which receives funds from the State  
12 Board under this subsection (K) may not increase the number of  
13 students enrolled in its laboratory school from a single  
14 district, if that district is already sending 50 or more  
15 students, except under a mutual agreement between the school  
16 board of a student's district of residence and the university  
17 which operates the laboratory school. A laboratory school may  
18 not have more than 1,000 students, excluding students with  
19 disabilities in a special education program.

20 As used in this Section, "alternative school" means a  
21 public school which is created and operated by a Regional  
22 Superintendent of Schools and approved by the State Board of  
23 Education. Such alternative schools may offer courses of  
24 instruction for which credit is given in regular school  
25 programs, courses to prepare students for the high school  
26 equivalency testing program or vocational and occupational

1 training. A regional superintendent of schools may contract  
2 with a school district or a public community college district  
3 to operate an alternative school. An alternative school serving  
4 more than one educational service region may be established by  
5 the regional superintendents of schools of the affected  
6 educational service regions. An alternative school serving  
7 more than one educational service region may be operated under  
8 such terms as the regional superintendents of schools of those  
9 educational service regions may agree.

10 Each laboratory and alternative school shall file, on forms  
11 provided by the State Superintendent of Education, an annual  
12 State aid claim which states the Average Daily Attendance of  
13 the school's students by month. The best 3 months' Average  
14 Daily Attendance shall be computed for each school. The general  
15 State aid entitlement shall be computed by multiplying the  
16 applicable Average Daily Attendance by the Foundation Level as  
17 determined under this Section.

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

19 (1) For a school district operating under the financial  
20 supervision of an Authority created under Article 34A, the  
21 general State aid otherwise payable to that district under this  
22 Section, but not the supplemental general State aid, shall be  
23 reduced by an amount equal to the budget for the operations of  
24 the Authority as certified by the Authority to the State Board  
25 of Education, and an amount equal to such reduction shall be

1 paid to the Authority created for such district for its  
2 operating expenses in the manner provided in Section 18-11. The  
3 remainder of general State school aid for any such district  
4 shall be paid in accordance with Article 34A when that Article  
5 provides for a disposition other than that provided by this  
6 Article.

7 (2) (Blank).

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

10 (M) Education Funding Advisory Board.

11 The Education Funding Advisory Board, hereinafter in this  
12 subsection (M) referred to as the "Board", is hereby created.  
13 The Board shall consist of 5 members who are appointed by the  
14 Governor, by and with the advice and consent of the Senate. The  
15 members appointed shall include representatives of education,  
16 business, and the general public. One of the members so  
17 appointed shall be designated by the Governor at the time the  
18 appointment is made as the chairperson of the Board. The  
19 initial members of the Board may be appointed any time after  
20 the effective date of this amendatory Act of 1997. The regular  
21 term of each member of the Board shall be for 4 years from the  
22 third Monday of January of the year in which the term of the  
23 member's appointment is to commence, except that of the 5  
24 initial members appointed to serve on the Board, the member who  
25 is appointed as the chairperson shall serve for a term that

1 commences on the date of his or her appointment and expires on  
2 the third Monday of January, 2002, and the remaining 4 members,  
3 by lots drawn at the first meeting of the Board that is held  
4 after all 5 members are appointed, shall determine 2 of their  
5 number to serve for terms that commence on the date of their  
6 respective appointments and expire on the third Monday of  
7 January, 2001, and 2 of their number to serve for terms that  
8 commence on the date of their respective appointments and  
9 expire on the third Monday of January, 2000. All members  
10 appointed to serve on the Board shall serve until their  
11 respective successors are appointed and confirmed. Vacancies  
12 shall be filled in the same manner as original appointments. If  
13 a vacancy in membership occurs at a time when the Senate is not  
14 in session, the Governor shall make a temporary appointment  
15 until the next meeting of the Senate, when he or she shall  
16 appoint, by and with the advice and consent of the Senate, a  
17 person to fill that membership for the unexpired term. If the  
18 Senate is not in session when the initial appointments are  
19 made, those appointments shall be made as in the case of  
20 vacancies.

21 The Education Funding Advisory Board shall be deemed  
22 established, and the initial members appointed by the Governor  
23 to serve as members of the Board shall take office, on the date  
24 that the Governor makes his or her appointment of the fifth  
25 initial member of the Board, whether those initial members are  
26 then serving pursuant to appointment and confirmation or

1 pursuant to temporary appointments that are made by the  
2 Governor as in the case of vacancies.

3 The State Board of Education shall provide such staff  
4 assistance to the Education Funding Advisory Board as is  
5 reasonably required for the proper performance by the Board of  
6 its responsibilities.

7 For school years after the 2000-2001 school year, the  
8 Education Funding Advisory Board, in consultation with the  
9 State Board of Education, shall make recommendations as  
10 provided in this subsection (M) to the General Assembly for the  
11 foundation level under subdivision (B)(3) of this Section and  
12 for the supplemental general State aid grant level under  
13 subsection (H) of this Section for districts with high  
14 concentrations of children from poverty. The recommended  
15 foundation level shall be determined based on a methodology  
16 which incorporates the basic education expenditures of  
17 low-spending schools exhibiting high academic performance. The  
18 Education Funding Advisory Board shall make such  
19 recommendations to the General Assembly on January 1 of odd  
20 numbered years, beginning January 1, 2001.

21 (N) (Blank).

22 (O) References.

23 (1) References in other laws to the various subdivisions of  
24 Section 18-8 as that Section existed before its repeal and

1 replacement by this Section 18-8.05 shall be deemed to refer to  
2 the corresponding provisions of this Section 18-8.05, to the  
3 extent that those references remain applicable.

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

7 (P) Public Act 93-838 and Public Act 93-808 make inconsistent  
8 changes to this Section. Under Section 6 of the Statute on  
9 Statutes there is an irreconcilable conflict between Public Act  
10 93-808 and Public Act 93-838. Public Act 93-838, being the last  
11 acted upon, is controlling. The text of Public Act 93-838 is  
12 the law regardless of the text of Public Act 93-808.

13 (Source: P.A. 96-45, eff. 7-15-09; 96-152, eff. 8-7-09; 96-300,  
14 eff. 8-11-09; 96-328, eff. 8-11-09; 96-640, eff. 8-24-09;  
15 96-959, eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1480, eff.  
16 11-18-10; 97-339, eff. 8-12-11; 97-351, eff. 8-12-11; 97-742,  
17 eff. 6-30-13; 97-813, eff. 7-13-12.)

18 (105 ILCS 5/21B-75)

19 Sec. 21B-75. Suspension or revocation of license.

20 (a) As used in this Section, "teacher" means any school  
21 district employee regularly required to be licensed, as  
22 provided in this Article, in order to teach or supervise in the  
23 public schools.

24 (b) The State Superintendent of Education has the exclusive

1 authority, in accordance with this Section and any rules  
2 adopted by the State Board of Education, in consultation with  
3 the State Educator Preparation and Licensure Board, to initiate  
4 the suspension of up to 5 calendar years or revocation of any  
5 license issued pursuant to this Article for abuse or neglect of  
6 a child, immorality, a condition of health detrimental to the  
7 welfare of pupils, incompetency, unprofessional conduct (which  
8 includes the failure to disclose on an employment application  
9 any previous conviction for a sex offense, as defined in  
10 Section 21B-80 of this Code, or any other offense committed in  
11 any other state or against the laws of the United States that,  
12 if committed in this State, would be punishable as a sex  
13 offense, as defined in Section 21B-80 of this Code), the  
14 neglect of any professional duty, willful failure to report an  
15 instance of suspected child abuse or neglect as required by the  
16 Abused and Neglected Child Reporting Act, failure to establish  
17 satisfactory repayment on an educational loan guaranteed by the  
18 Illinois Student Assistance Commission, or other just cause.  
19 Unprofessional conduct shall include the refusal to attend or  
20 participate in institutes, teachers' meetings, or professional  
21 readings or to meet other reasonable requirements of the  
22 regional superintendent of schools or State Superintendent of  
23 Education. Unprofessional conduct also includes conduct that  
24 violates the standards, ethics, or rules applicable to the  
25 security, administration, monitoring, or scoring of or the  
26 reporting of scores from any assessment test or examination

1 administered under Section 2-3.64a-5 ~~2-3.64~~ of this Code or  
2 that is known or intended to produce or report manipulated or  
3 artificial, rather than actual, assessment or achievement  
4 results or gains from the administration of those tests or  
5 examinations. Unprofessional conduct shall also include  
6 neglect or unnecessary delay in the making of statistical and  
7 other reports required by school officers. Incompetency shall  
8 include, without limitation, 2 or more school terms of service  
9 for which the license holder has received an unsatisfactory  
10 rating on a performance evaluation conducted pursuant to  
11 Article 24A of this Code within a period of 7 school terms of  
12 service. In determining whether to initiate action against one  
13 or more licenses based on incompetency and the recommended  
14 sanction for such action, the State Superintendent shall  
15 consider factors that include without limitation all of the  
16 following:

17 (1) Whether the unsatisfactory evaluation ratings  
18 occurred prior to June 13, 2011 (the effective date of  
19 Public Act 97-8).

20 (2) Whether the unsatisfactory evaluation ratings  
21 occurred prior to or after the implementation date, as  
22 defined in Section 24A-2.5 of this Code, of an evaluation  
23 system for teachers in a school district.

24 (3) Whether the evaluator or evaluators who performed  
25 an unsatisfactory evaluation met the pre-licensure and  
26 training requirements set forth in Section 24A-3 of this

1 Code.

2 (4) The time between the unsatisfactory evaluation  
3 ratings.

4 (5) The quality of the remediation plans associated  
5 with the unsatisfactory evaluation ratings and whether the  
6 license holder successfully completed the remediation  
7 plans.

8 (6) Whether the unsatisfactory evaluation ratings were  
9 related to the same or different assignments performed by  
10 the license holder.

11 (7) Whether one or more of the unsatisfactory  
12 evaluation ratings occurred in the first year of a teaching  
13 or administrative assignment.

14 When initiating an action against one or more licenses, the  
15 State Superintendent may seek required professional  
16 development as a sanction in lieu of or in addition to  
17 suspension or revocation. Any such required professional  
18 development must be at the expense of the license holder, who  
19 may use, if available and applicable to the requirements  
20 established by administrative or court order, training,  
21 coursework, or other professional development funds in  
22 accordance with the terms of an applicable collective  
23 bargaining agreement entered into after June 13, 2011 (the  
24 effective date of Public Act 97-8), unless that agreement  
25 specifically precludes use of funds for such purpose.

26 (c) The State Superintendent of Education shall, upon

1 receipt of evidence of abuse or neglect of a child, immorality,  
2 a condition of health detrimental to the welfare of pupils,  
3 incompetency (subject to subsection (b) of this Section),  
4 unprofessional conduct, the neglect of any professional duty,  
5 or other just cause, further investigate and, if and as  
6 appropriate, serve written notice to the individual and afford  
7 the individual opportunity for a hearing prior to suspension,  
8 revocation, or other sanction; provided that the State  
9 Superintendent is under no obligation to initiate such an  
10 investigation if the Department of Children and Family Services  
11 is investigating the same or substantially similar allegations  
12 and its child protective service unit has not made its  
13 determination, as required under Section 7.12 of the Abused and  
14 Neglected Child Reporting Act. If the State Superintendent of  
15 Education does not receive from an individual a request for a  
16 hearing within 10 days after the individual receives notice,  
17 the suspension, revocation, or other sanction shall  
18 immediately take effect in accordance with the notice. If a  
19 hearing is requested within 10 days after notice of an  
20 opportunity for hearing, it shall act as a stay of proceedings  
21 until the State Educator Preparation and Licensure Board issues  
22 a decision. Any hearing shall take place in the educational  
23 service region where the educator is or was last employed and  
24 in accordance with rules adopted by the State Board of  
25 Education, in consultation with the State Educator Preparation  
26 and Licensure Board, and such rules shall include without

1 limitation provisions for discovery and the sharing of  
2 information between parties prior to the hearing. The standard  
3 of proof for any administrative hearing held pursuant to this  
4 Section shall be by the preponderance of the evidence. The  
5 decision of the State Educator Preparation and Licensure Board  
6 is a final administrative decision and is subject to judicial  
7 review by appeal of either party.

8 The State Board of Education may refuse to issue or may  
9 suspend the license of any person who fails to file a return or  
10 to pay the tax, penalty, or interest shown in a filed return or  
11 to pay any final assessment of tax, penalty, or interest, as  
12 required by any tax Act administered by the Department of  
13 Revenue, until such time as the requirements of any such tax  
14 Act are satisfied.

15 The exclusive authority of the State Superintendent of  
16 Education to initiate suspension or revocation of a license  
17 pursuant to this Section does not preclude a regional  
18 superintendent of schools from cooperating with the State  
19 Superintendent or a State's Attorney with respect to an  
20 investigation of alleged misconduct.

21 (d) The State Superintendent of Education or his or her  
22 designee may initiate and conduct such investigations as may be  
23 reasonably necessary to establish the existence of any alleged  
24 misconduct. At any stage of the investigation, the State  
25 Superintendent may issue a subpoena requiring the attendance  
26 and testimony of a witness, including the license holder, and

1 the production of any evidence, including files, records,  
2 correspondence, or documents, relating to any matter in  
3 question in the investigation. The subpoena shall require a  
4 witness to appear at the State Board of Education at a  
5 specified date and time and shall specify any evidence to be  
6 produced. The license holder is not entitled to be present, but  
7 the State Superintendent shall provide the license holder with  
8 a copy of any recorded testimony prior to a hearing under this  
9 Section. Such recorded testimony must not be used as evidence  
10 at a hearing, unless the license holder has adequate notice of  
11 the testimony and the opportunity to cross-examine the witness.  
12 Failure of a license holder to comply with a duly issued,  
13 investigatory subpoena may be grounds for revocation,  
14 suspension, or denial of a license.

15 (e) All correspondence, documentation, and other  
16 information so received by the regional superintendent of  
17 schools, the State Superintendent of Education, the State Board  
18 of Education, or the State Educator Preparation and Licensure  
19 Board under this Section is confidential and must not be  
20 disclosed to third parties, except (i) as necessary for the  
21 State Superintendent of Education or his or her designee to  
22 investigate and prosecute pursuant to this Article, (ii)  
23 pursuant to a court order, (iii) for disclosure to the license  
24 holder or his or her representative, or (iv) as otherwise  
25 required in this Article and provided that any such information  
26 admitted into evidence in a hearing is exempt from this

1 confidentiality and non-disclosure requirement.

2 (f) The State Superintendent of Education or a person  
3 designated by him or her shall have the power to administer  
4 oaths to witnesses at any hearing conducted before the State  
5 Educator Preparation and Licensure Board pursuant to this  
6 Section. The State Superintendent of Education or a person  
7 designated by him or her is authorized to subpoena and bring  
8 before the State Educator Preparation and Licensure Board any  
9 person in this State and to take testimony either orally or by  
10 deposition or by exhibit, with the same fees and mileage and in  
11 the same manner as prescribed by law in judicial proceedings in  
12 civil cases in circuit courts of this State.

13 (g) Any circuit court, upon the application of the State  
14 Superintendent of Education or the license holder, may, by  
15 order duly entered, require the attendance of witnesses and the  
16 production of relevant books and papers as part of any  
17 investigation or at any hearing the State Educator Preparation  
18 and Licensure Board is authorized to conduct pursuant to this  
19 Section, and the court may compel obedience to its orders by  
20 proceedings for contempt.

21 (h) The State Board of Education shall receive an annual  
22 line item appropriation to cover fees associated with the  
23 investigation and prosecution of alleged educator misconduct  
24 and hearings related thereto.

25 (Source: P.A. 97-607, eff. 8-26-11; incorporates 97-8, eff.  
26 6-13-11; 97-813, eff. 7-13-12.)

1 (105 ILCS 5/27A-4)

2 Sec. 27A-4. General Provisions.

3 (a) The General Assembly does not intend to alter or amend  
4 the provisions of any court-ordered desegregation plan in  
5 effect for any school district. A charter school shall be  
6 subject to all federal and State laws and constitutional  
7 provisions prohibiting discrimination on the basis of  
8 disability, race, creed, color, gender, national origin,  
9 religion, ancestry, marital status, or need for special  
10 education services.

11 (b) The total number of charter schools operating under  
12 this Article at any one time shall not exceed 120. Not more  
13 than 70 charter schools shall operate at any one time in any  
14 city having a population exceeding 500,000, with at least 5  
15 charter schools devoted exclusively to students from  
16 low-performing or overcrowded schools operating at any one time  
17 in that city; and not more than 45 charter schools shall  
18 operate at any one time in the remainder of the State, with not  
19 more than one charter school that has been initiated by a board  
20 of education, or by an intergovernmental agreement between or  
21 among boards of education, operating at any one time in the  
22 school district where the charter school is located. In  
23 addition to these charter schools, up to but no more than 5  
24 charter schools devoted exclusively to re-enrolled high school  
25 dropouts and/or students 16 or 15 years old at risk of dropping

1 out may operate at any one time in any city having a population  
2 exceeding 500,000. Notwithstanding any provision to the  
3 contrary in subsection (b) of Section 27A-5 of this Code, each  
4 such dropout charter may operate up to 15 campuses within the  
5 city. Any of these dropout charters may have a maximum of 1,875  
6 enrollment seats, any one of the campuses of the dropout  
7 charter may have a maximum of 165 enrollment seats, and each  
8 campus of the dropout charter must be operated, through a  
9 contract or payroll, by the same legal entity as that for which  
10 the charter is approved and certified.

11 For purposes of implementing this Section, the State Board  
12 shall assign a number to each charter submission it receives  
13 under Section 27A-6 for its review and certification, based on  
14 the chronological order in which the submission is received by  
15 it. The State Board shall promptly notify local school boards  
16 when the maximum numbers of certified charter schools  
17 authorized to operate have been reached.

18 (c) No charter shall be granted under this Article that  
19 would convert any existing private, parochial, or non-public  
20 school to a charter school.

21 (d) Enrollment in a charter school shall be open to any  
22 pupil who resides within the geographic boundaries of the area  
23 served by the local school board, provided that the board of  
24 education in a city having a population exceeding 500,000 may  
25 designate attendance boundaries for no more than one-third of  
26 the charter schools permitted in the city if the board of

1 education determines that attendance boundaries are needed to  
2 relieve overcrowding or to better serve low-income and at-risk  
3 students. Students residing within an attendance boundary may  
4 be given priority for enrollment, but must not be required to  
5 attend the charter school.

6 (e) Nothing in this Article shall prevent 2 or more local  
7 school boards from jointly issuing a charter to a single shared  
8 charter school, provided that all of the provisions of this  
9 Article are met as to those local school boards.

10 (f) No local school board shall require any employee of the  
11 school district to be employed in a charter school.

12 (g) No local school board shall require any pupil residing  
13 within the geographic boundary of its district to enroll in a  
14 charter school.

15 (h) If there are more eligible applicants for enrollment in  
16 a charter school than there are spaces available, successful  
17 applicants shall be selected by lottery. However, priority  
18 shall be given to siblings of pupils enrolled in the charter  
19 school and to pupils who were enrolled in the charter school  
20 the previous school year, unless expelled for cause, and  
21 priority may be given to pupils residing within the charter  
22 school's attendance boundary, if a boundary has been designated  
23 by the board of education in a city having a population  
24 exceeding 500,000. Dual enrollment at both a charter school and  
25 a public school or non-public school shall not be allowed. A  
26 pupil who is suspended or expelled from a charter school shall

1 be deemed to be suspended or expelled from the public schools  
2 of the school district in which the pupil resides.  
3 Notwithstanding anything to the contrary in this subsection  
4 (h):

5 (1) any charter school with a mission exclusive to  
6 educating high school dropouts may grant priority  
7 admission to students who are high school dropouts and/or  
8 students 16 or 15 years old at risk of dropping out and any  
9 charter school with a mission exclusive to educating  
10 students from low-performing or overcrowded schools may  
11 restrict admission to students who are from low-performing  
12 or overcrowded schools; "priority admission" for charter  
13 schools exclusively devoted to re-enrolled dropouts or  
14 students at risk of dropping out means a minimum of 90% of  
15 students enrolled shall be high school dropouts; and

16 (2) any charter school located in a school district  
17 that contains all or part of a federal military base may  
18 set aside up to 33% of its current charter enrollment to  
19 students with parents assigned to the federal military  
20 base, with the remaining 67% subject to the general  
21 enrollment and lottery requirements of subsection (d) of  
22 this Section and this subsection (h); if a student with a  
23 parent assigned to the federal military base withdraws from  
24 the charter school during the course of a school year for  
25 reasons other than grade promotion, those students with  
26 parents assigned to the federal military base shall have

1 preference in filling the vacancy.

2 (i) (Blank).

3 (j) Notwithstanding any other provision of law to the  
4 contrary, a school district in a city having a population  
5 exceeding 500,000 shall not have a duty to collectively bargain  
6 with an exclusive representative of its employees over  
7 decisions to grant or deny a charter school proposal under  
8 Section 27A-8 of this Code, decisions to renew or revoke a  
9 charter under Section 27A-9 of this Code, and the impact of  
10 these decisions, provided that nothing in this Section shall  
11 have the effect of negating, abrogating, replacing, reducing,  
12 diminishing, or limiting in any way employee rights,  
13 guarantees, or privileges granted in Sections 2, 3, 7, 8, 10,  
14 14, and 15 of the Illinois Educational Labor Relations Act.

15 (k) In this Section:

16 "Low-performing school" means a public school in a school  
17 district organized under Article 34 of this Code that enrolls  
18 students in any of grades kindergarten through 8 and that is  
19 ranked within the lowest 10% of schools in that district in  
20 terms of the percentage of students meeting or exceeding  
21 standards on the assessments required under Section 2-3.64a-5  
22 of this Code ~~Illinois Standards Achievement Test~~.

23 "Overcrowded school" means a public school in a school  
24 district organized under Article 34 of this Code that (i)  
25 enrolls students in any of grades kindergarten through 8, (ii)  
26 has a percentage of low-income students of 70% or more, as

1 identified in the most recently available School Report Card  
2 published by the State Board of Education, and (iii) is  
3 determined by the Chicago Board of Education to be in the most  
4 severely overcrowded 5% of schools in the district. On or  
5 before November 1 of each year, the Chicago Board of Education  
6 shall file a report with the State Board of Education on which  
7 schools in the district meet the definition of "overcrowded  
8 school". "Students at risk of dropping out" means students 16  
9 or 15 years old in a public school in a district organized  
10 under Article 34 of this Code that enrolls students in any  
11 grades 9-12 who have been absent at least 90 school attendance  
12 days of the previous 180 school attendance days.

13 (Source: P.A. 97-151, eff. 1-1-12; 97-624, eff. 11-28-11;  
14 97-813, eff. 7-13-12; 98-474, eff. 8-16-13.)

15 (105 ILCS 5/27A-6)

16 Sec. 27A-6. Contract contents; applicability of laws and  
17 regulations.

18 (a) A certified charter shall constitute a binding contract  
19 and agreement between the charter school and a local school  
20 board under the terms of which the local school board  
21 authorizes the governing body of the charter school to operate  
22 the charter school on the terms specified in the contract.

23 (b) Notwithstanding any other provision of this Article,  
24 the certified charter may not waive or release the charter  
25 school from the State goals, standards, and assessments

1 established pursuant to Section 2-3.64a-5 of this Code ~~2-3.64~~.  
2 Beginning with the 2003-2004 school year, the certified charter  
3 for a charter school operating in a city having a population  
4 exceeding 500,000 shall require the charter school to  
5 administer any other nationally recognized standardized tests  
6 to its students that the chartering entity administers to other  
7 students, and the results on such tests shall be included in  
8 the chartering entity's assessment reports.

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

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

15 (d) The proposed contract between the governing body of a  
16 proposed charter school and the local school board as described  
17 in Section 27A-7 must be submitted to and certified by the  
18 State Board before it can take effect. If the State Board  
19 recommends that the proposed contract be modified for  
20 consistency with this Article before it can be certified, the  
21 modifications must be consented to by both the governing body  
22 of the charter school and the local school board, and  
23 resubmitted to the State Board for its certification. If the  
24 proposed contract is resubmitted in a form that is not  
25 consistent with this Article, the State Board may refuse to  
26 certify the charter.

1           The State Board shall assign a number to each submission or  
2 resubmission in chronological order of receipt, and shall  
3 determine whether the proposed contract is consistent with the  
4 provisions of this Article. If the proposed contract complies,  
5 the State Board shall so certify.

6           (e) No material revision to a previously certified contract  
7 or a renewal shall be effective unless and until the State  
8 Board certifies that the revision or renewal is consistent with  
9 the provisions of this Article.

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

11           (105 ILCS 5/34-8.14)

12           Sec. 34-8.14. Non-waivable provisions. Notwithstanding  
13 anything in this ~~the School~~ Code to the contrary, statutes,  
14 regulations, rules, and policy provisions concerning the  
15 following shall not be waivable:

- 16           (1) student ~~Student~~ civil rights;
- 17           (2) staff ~~Staff~~ civil rights;
- 18           (3) health ~~Health~~ and safety;
- 19           (4) performance ~~Performance~~ and financial audits;
- 20           (5) Local School Council provisions, including  
21 required statements of economic disclosure;
- 22           (6) the ~~The~~ Open Meetings Act;
- 23           (7) the ~~The~~ Freedom of Information Act;
- 24           (8) the assessments required under Section 2-3.64a-5  
25 of this Code ~~The Illinois goals assessment program~~;

1 (9) Chicago learning outcomes;

2 (10) Sections 2-3.25a through 2-3.25j of this ~~the~~  
3 ~~School~~ Code; and

4 (11) collective ~~Collective~~ bargaining agreements.

5 (Source: P.A. 89-3, eff. 2-27-95.)

6 (105 ILCS 5/2-3.64 rep.)

7 (105 ILCS 5/2-3.64a rep.)

8 Section 10. The School Code is amended by repealing  
9 Sections 2-3.64 and 2-3.64a.

10 Section 99. Effective date. This Act takes effect July 1,  
11 2014.".