

1 AN ACT to amend the School Code.

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

4 Section 5. The School Code is amended by changing  
5 Sections 1D-1, 14-7.02, 14-8.01, and 18-4.3 and adding  
6 Section 14-7.02b as follows:

7 (105 ILCS 5/1D-1)

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

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

22 (b) The general education block grant shall include the  
23 following programs: REI Initiative, Summer Bridges, Preschool  
24 At Risk, K-6 Comprehensive Arts, School Improvement Support,  
25 Urban Education, Scientific Literacy, Substance Abuse  
26 Prevention, Second Language Planning, Staff Development,  
27 Outcomes and Assessment, K-6 Reading Improvement, Truants'  
28 Optional Education, Hispanic Programs, Agriculture Education,  
29 Gifted Education, Parental Education, Prevention Initiative,  
30 Report Cards, and Criminal Background Investigations.  
31 Notwithstanding any other provision of law, all amounts paid

1 under the general education block grant from State  
2 appropriations to a school district in a city having a  
3 population exceeding 500,000 inhabitants shall be  
4 appropriated and expended by the board of that district for  
5 any of the programs included in the block grant or any of the  
6 board's lawful purposes.

7 (c) The educational services block grant shall include  
8 the following programs: Bilingual, Regular and Vocational  
9 Transportation, State Lunch and Free Breakfast Program,  
10 Special Education (Personnel, ~~Extraordinary~~, Transportation,  
11 Orphanage~~, Private-Tuition~~), funding for children requiring  
12 special education services, Summer School, Educational  
13 Service Centers, and Administrator's Academy. This  
14 subsection (c) does not relieve the district of its  
15 obligation to provide the services required under a program  
16 that is included within the educational services block grant.  
17 It is the intention of the General Assembly in enacting the  
18 provisions of this subsection (c) to relieve the district of  
19 the administrative burdens that impede efficiency and  
20 accompany single-program funding. The General Assembly  
21 encourages the board to pursue mandate waivers pursuant to  
22 Section 2-3.25g.

23 The funding program included in the educational services  
24 block grant for funding for children requiring special  
25 education services in each fiscal year shall be treated in  
26 that fiscal year as a payment to the school district in  
27 respect of services provided or costs incurred in the prior  
28 fiscal year, calculated in each case as provided in this  
29 Section. Nothing in this Section shall change the nature of  
30 payments for any program that, apart from this Section, would  
31 be or, prior to adoption or amendment of this Section, was on  
32 the basis of a payment in a fiscal year in respect of  
33 services provided or costs incurred in the prior fiscal year,  
34 calculated in each case as provided in this Section.

1           (d) For fiscal year 1996 and each fiscal year  
2 thereafter, the amount of the district's block grants shall  
3 be determined as follows: (i) with respect to each program  
4 that is included within each block grant, the district shall  
5 receive an amount equal to the same percentage of the current  
6 fiscal year appropriation made for that program as the  
7 percentage of the appropriation received by the district from  
8 the 1995 fiscal year appropriation made for that program, and  
9 (ii) the total amount that is due the district under the  
10 block grant shall be the aggregate of the amounts that the  
11 district is entitled to receive for the fiscal year with  
12 respect to each program that is included within the block  
13 grant that the State Board of Education shall award the  
14 district under this Section for that fiscal year. In the  
15 case of the Summer Bridges program, the amount of the  
16 district's block grant shall be equal to 44% of the amount of  
17 the current fiscal year appropriation made for that program.

18           (e) The district is not required to file any application  
19 or other claim in order to receive the block grants to which  
20 it is entitled under this Section. The State Board of  
21 Education shall make payments to the district of amounts due  
22 under the district's block grants on a schedule determined by  
23 the State Board of Education.

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

28           (g) This paragraph provides for the treatment of block  
29 grants under Article 1C for purposes of calculating the  
30 amount of block grants for a district under this Section.  
31 Those block grants under Article 1C ~~1E~~ are, for this purpose,  
32 treated as included in the amount of appropriation for the  
33 various programs set forth in paragraph (b) above. The  
34 appropriation in each current fiscal year for each block

1 grant under Article 1C shall be treated for these purposes as  
2 appropriations for the individual program included in that  
3 block grant. The proportion of each block grant so allocated  
4 to each such program included in it shall be the proportion  
5 which the appropriation for that program was of all  
6 appropriations for such purposes now in that block grant, in  
7 fiscal 1995.

8 (Source: P.A. 90-566, eff. 1-2-98; 90-653, eff. 7-29-98;  
9 91-711, eff. 7-1-00; revised 12-04-01.)

10 (105 ILCS 5/14-7.02) (from Ch. 122, par. 14-7.02)

11 Sec. 14-7.02. Children attending private schools, public  
12 out-of-state schools, public school residential facilities or  
13 private special education facilities. The General Assembly  
14 recognizes that non-public schools or special education  
15 facilities provide an important service in the educational  
16 system in Illinois.

17 If because of his or her disability the special education  
18 program of a district is unable to meet the needs of a child  
19 and the child attends a non-public school or special  
20 education facility, a public out-of-state school or a special  
21 education facility owned and operated by a county government  
22 unit that provides special educational services required by  
23 the child and is in compliance with the appropriate rules and  
24 regulations of the State Superintendent of Education, the  
25 school district in which the child is a resident shall pay  
26 the actual cost of tuition for special education and related  
27 services provided during the regular school term and during  
28 the summer school term if the child's educational needs so  
29 require, excluding room, board and transportation costs  
30 charged the child by that non-public school or special  
31 education facility, public out-of-state school or county  
32 special education facility, or \$4,500 per year, whichever is  
33 less, and shall provide him any necessary transportation.

1 "Nonpublic special education facility" shall include a  
2 residential facility, within or without the State of  
3 Illinois, which provides special education and related  
4 services to meet the needs of the child by utilizing private  
5 schools or public schools, whether located on the site or off  
6 the site of the residential facility.

7 The State Board of Education shall promulgate rules and  
8 regulations for determining when placement in a private  
9 special education facility is appropriate. Such rules and  
10 regulations shall take into account the various types of  
11 services needed by a child and the availability of such  
12 services to the particular child in the public school. In  
13 developing these rules and regulations the State Board of  
14 Education shall consult with the Advisory Council on  
15 Education of Children with Disabilities and hold public  
16 hearings to secure recommendations from parents, school  
17 personnel, and others concerned about this matter.

18 The State Board of Education shall also promulgate rules  
19 and regulations for transportation to and from a residential  
20 school. ~~Transportation--to--and--from--home--to--a--residential~~  
21 ~~school--more--than--once--each--school--term--shall--be--subject--to~~  
22 ~~prior--approval--by--the--State--Superintendent--in--accordance--with~~  
23 ~~the--rules--and--regulations--of--the--State--Board.~~

24 ~~A--school--district--making--tuition--payments--pursuant--to~~  
25 ~~this--Section--is--eligible--for--reimbursement--from--the--State--for~~  
26 ~~the--amount--of--such--payments--actually--made--in--excess--of--the~~  
27 ~~district--per--capita--tuition--charge--for--students--not--receiving~~  
28 ~~special--education--services.--Such--reimbursement--shall--be~~  
29 ~~approved---in--accordance--with--Section--14-12.01--and--each~~  
30 ~~district--shall--file--its--claims,--computed--in--accordance--with~~  
31 ~~rules--prescribed--by--the--State--Board--of--Education,--on--forms~~  
32 ~~prescribed--by--the--State--Superintendent--of--Education.---Data~~  
33 ~~used--as--a--basis--of--reimbursement--claims--shall--be--for--the~~  
34 ~~preceding--regular--school--term--and--summer--school--term.---Each~~

1 school--district-shall-transmit-its-claims-to-the-State-Board  
2 of-Education-on-or-before-August--15,---The--State--Board--of  
3 Education,--before-approving-any-such-claims,--shall-determine  
4 their-accuracy-and-whether-they-are-based-upon--services--and  
5 facilities--provided--under-approved-programs,--Upon-approval  
6 the-State-Board-shall-cause-vouchers-to-be--prepared--showing  
7 the--amount-due-for-payment-of-reimbursement-claims-to-school  
8 districts,--for-transmittal-to-the-State--Comptroller--on--the  
9 30th-day-of-September,--December,--and-March,--respectively,--and  
10 the--final--voucher,--no--later--than--June--20.-If-the-money  
11 appropriated-by-the-General-Assembly-for-such-purpose-for-any  
12 year-is-insufficient,--it-shall-be-apportioned-on-the-basis-of  
13 the-claims-approved.

14 No child shall be placed in a special education program  
15 pursuant to this Section if the tuition cost for special  
16 education and related services increases more than 10 percent  
17 over the tuition cost for the previous school year or exceeds  
18 \$4,500 per year unless such costs have been approved by the  
19 Illinois Purchased Care Review Board. The Illinois  
20 Purchased Care Review Board shall consist of the following  
21 persons, or their designees: the Directors of Children and  
22 Family Services, Public Health, Public Aid, and the Bureau of  
23 the Budget; the Secretary of Human Services; the State  
24 Superintendent of Education; and such other persons as the  
25 Governor may designate. The Review Board shall establish  
26 rules and regulations for its determination of allowable  
27 costs and payments made by local school districts for special  
28 education, room and board, and other related services  
29 provided by non-public schools or special education  
30 facilities and shall establish uniform standards and criteria  
31 which it shall follow.

32 The Review Board shall establish uniform definitions and  
33 criteria for accounting separately by special education, room  
34 and board and other related services costs. The Board shall

1 also establish guidelines for the coordination of services  
2 and financial assistance provided by all State agencies to  
3 assure that no otherwise qualified disabled child receiving  
4 services under Article 14 shall be excluded from  
5 participation in, be denied the benefits of or be subjected  
6 to discrimination under any program or activity provided by  
7 any State agency.

8 The Review Board shall review the costs for special  
9 education and related services provided by non-public schools  
10 or special education facilities and shall approve or  
11 disapprove such facilities in accordance with the rules and  
12 regulations established by it with respect to allowable  
13 costs.

14 The State Board of Education shall provide administrative  
15 and staff support for the Review Board as deemed reasonable  
16 by the State Superintendent of Education. This support shall  
17 not include travel expenses or other compensation for any  
18 Review Board member other than the State Superintendent of  
19 Education.

20 The Review Board shall seek the advice of the Advisory  
21 Council on Education of Children with Disabilities on the  
22 rules and regulations to be promulgated by it relative to  
23 providing special education services.

24 If a child has been placed in a program in which the  
25 actual per pupil costs of tuition for special education and  
26 related services based on program enrollment, excluding room,  
27 board and transportation costs, exceed \$4,500 and such costs  
28 have been approved by the Review Board, the district shall  
29 pay such total costs which exceed \$4,500. ~~A district making  
30 such tuition payments in excess of \$4,500 pursuant to this  
31 Section shall be responsible for an amount in excess of  
32 \$4,500 equal to the district per capita tuition charge and  
33 shall be eligible for reimbursement from the State for the  
34 amount of such payments actually made in excess of the~~

1 ~~districts--per--capita--tuition--charge--for---students---not~~  
2 ~~receiving-special-education-services.~~

3       If a child has been placed in an approved individual  
4 program and the tuition costs including room and board costs  
5 have been approved by the Review Board, then such room and  
6 board costs shall be paid by the appropriate State agency  
7 subject to the provisions of Section 14-8.01 of this Act.  
8 Room and board costs not provided by a State agency other  
9 than the State Board of Education shall be provided by the  
10 State Board of Education on a current basis. In no event,  
11 however, shall the State's liability for funding of these  
12 tuition costs begin until after the legal obligations of  
13 third party payors have been subtracted from such costs. If  
14 the money appropriated by the General Assembly for such  
15 purpose for any year is insufficient, it shall be apportioned  
16 on the basis of the claims approved. Each district shall  
17 submit estimated claims to the State Superintendent of  
18 Education. Upon approval of such claims, the State  
19 Superintendent of Education shall direct the State  
20 Comptroller to make payments on a monthly basis. The  
21 frequency for submitting estimated claims and the method of  
22 determining payment shall be prescribed in rules and  
23 regulations adopted by the State Board of Education. Such  
24 current state reimbursement shall be reduced by an amount  
25 equal to the proceeds which the child or child's parents are  
26 eligible to receive under any public or private insurance or  
27 assistance program. Nothing in this Section shall be  
28 construed as relieving an insurer or similar third party from  
29 an otherwise valid obligation to provide or to pay for  
30 services provided to a disabled child.

31       ~~If--it-otherwise-qualifies,-a-school-district-is-eligible~~  
32 ~~for-the-transportation-reimbursement-under--Section--14-13.01~~  
33 ~~and--for--the--reimbursement--of--tuition-payments-under-this~~  
34 ~~Section-whether-the-non-public-school--or--special--education~~



1 facility,---public--out-of-state--school--or--county--special  
 2 education-facility,--attended-by-a-child-who-resides--in--that  
 3 district-and-requires-special-educational-services,--is-within  
 4 or--outside-of-the-State-of-Illinois,--However,--a-district-is  
 5 not-eligible-to-claim-transportation-reimbursement-under-this  
 6 Section--unless--the--district---certifies---to---the---State  
 7 Superintendent--of--Education--that-the-district-is-unable-to  
 8 provide-special-educational-services-required--by--the--child  
 9 for-the-current-school-year.

10 Nothing-in-this-Section-authorizes-the-reimbursement-of-a  
 11 school--district--for--the-amount-paid-for-tuition-of-a-child  
 12 attending-a-non-public-school-or-special-education--facility,  
 13 public---out-of-state--school--or--county--special--education  
 14 facility-unless-the-school-district-certifies--to--the--State  
 15 Superintendent---of--Education--that--the--special--education  
 16 program-of-that-district-is-unable-to-meet-the-needs-of--that  
 17 child--because-of-his-disability-and-the-State-Superintendent  
 18 of-Education-finds-that-the-school-district-is-in-substantial  
 19 compliance-with-Section-14-4.01.

20 Any educational or related services provided, pursuant to  
 21 this Section in a non-public school or special education  
 22 facility or a special education facility owned and operated  
 23 by a county government unit shall be at no cost to the parent  
 24 or guardian of the child. However, current law and practices  
 25 relative to contributions by parents or guardians for costs  
 26 other than educational or related services are not affected  
 27 by this amendatory Act of 1978.

28 Reimbursement---for---children--attending--public--school  
 29 residential-facilities-shall-be-made-in-accordance--with--the  
 30 provisions-of-this-Section.

31 (Source: P.A. 91-764, eff. 6-9-00.)

32 (105 ILCS 5/14-7.02b new)

33 Sec. 14-7.02b. Funding for children requiring special

1 education services. Payments to school districts and joint  
2 agreements for children requiring special education services  
3 documented in their individualized education program  
4 regardless of the program from which these services are  
5 received, excluding children claimed under Section 14-7.03 of  
6 this Code, shall be made in accordance with this Section.  
7 Funds received under this Section may be used only for the  
8 provision of special educational facilities and services as  
9 defined in Section 14-1.08 of this Code.

10 The appropriation for fiscal year 2003 and thereafter  
11 shall be based upon the IDEA child count of all students in  
12 the State, excluding students claimed under Section 14-7.03  
13 of this Code, on December 1 of the fiscal year 2 years  
14 preceding, multiplied by (i) 21% for fiscal year 2003, (ii)  
15 21.5% for fiscal year 2004, (iii) 22% for fiscal year 2005,  
16 and (iv) 22.5% for fiscal year 2006 and each fiscal year  
17 thereafter of the general State aid foundation level of  
18 support established for that fiscal year under Section  
19 18-8.05 of this Code.

20 Beginning with fiscal year 2003 and thereafter,  
21 individual school districts shall not receive payments  
22 totaling less than they received under the funding authorized  
23 under Sections 14-7.02 and 14-7.02a of this Code during  
24 fiscal year 2002, pursuant to the provisions of those  
25 Sections as they were in effect before the effective date of  
26 this amendatory Act of the 92nd General Assembly. This base  
27 level funding shall be computed first.

28 An amount equal to 85% of the funds remaining in the  
29 appropriation after subtracting the base level funding shall  
30 be allocated to school districts based upon the district's  
31 average daily attendance reported for purposes of Section  
32 18-8.05 of this Code for the preceding school year. Fifteen  
33 percent of the funds remaining in the appropriation after  
34 subtracting the base level funding shall be allocated to

1 school districts based upon the district's low income  
2 eligible pupil count used in the calculation of general State  
3 aid under Section 18-8.05 of this Code for the same fiscal  
4 year. Eighty percent of the funds computed and allocated to  
5 districts under this Section shall be distributed and paid to  
6 school districts who are members of recognized joint  
7 agreements for special education. The remaining 20% shall be  
8 paid to the joint agreement for special education to which  
9 the district is a member. Districts that are not members of  
10 recognized joint agreements for special education shall  
11 receive 100% of the funds computed and allocated under this  
12 Section.

13 The 20% of the funds paid to the recognized joint  
14 agreements for special education and 20% of the funds  
15 received by districts that are not members of joint  
16 agreements for special education must be set aside in a High  
17 Cost Fund for the payment of services, in whole or in part,  
18 for individual students with disabilities whose program costs  
19 exceed 3 times the district's per capita tuition rate as  
20 calculated under Section 10-20.12a of this Code. The  
21 management and distribution of funds from the High Cost Fund  
22 shall be in accordance with rules promulgated by the State  
23 Board of Education.

24 The State Board of Education shall prepare vouchers equal  
25 to one-fourth the amount allocated to districts and their  
26 joint agreements, for transmittal to the State Comptroller on  
27 the 30th day of September, December, and March, respectively,  
28 and the final voucher, no later than June 20. The Comptroller  
29 shall make payments pursuant to this Section to school  
30 districts and their joint agreements as soon as possible  
31 after receipt of vouchers. If the money appropriated from the  
32 General Assembly for such purposes for any year is  
33 insufficient, it shall be apportioned on the basis of the  
34 payments due to school districts and their joint agreements.

1        Nothing in this Section shall be construed to decrease or  
2        increase the percentage of all special education funds that  
3        are allocated annually under Article 1D of this Code or to  
4        alter the requirement that a school district provide special  
5        education services.

6        Nothing in this amendatory Act of the 92nd General  
7        Assembly shall eliminate any reimbursement obligation owed as  
8        of the effective date of this amendatory Act of the 92nd  
9        General Assembly to a school district with in excess of  
10       500,000 inhabitants.

11       (105 ILCS 5/14-8.01) (from Ch. 122, par. 14-8.01)

12       Sec. 14-8.01. Supervision of special education buildings  
13       and facilities. All special educational facilities, building  
14       programs, housing, and all educational programs for the types  
15       of disabled children defined in Section 14-1.02 shall be  
16       under the supervision of and subject to the approval of the  
17       State Board of Education.

18       All special education facilities, building programs, and  
19       housing shall comply with the building code authorized by  
20       Section 2-3.12.

21       All educational programs for children with disabilities  
22       as defined in Section 14-1.02 administered by any State  
23       agency shall be under the general supervision of the State  
24       Board of Education. Such supervision shall be limited to  
25       insuring that such educational programs meet standards  
26       jointly developed and agreed to by both the State Board of  
27       Education and the operating State agency, including standards  
28       for educational personnel.

29       Any State agency providing special educational programs  
30       for children with disabilities as defined in Section 14-1.02  
31       shall promulgate rules and regulations, in consultation with  
32       the State Board of Education and pursuant to the Illinois  
33       Administrative Procedure Act as now or hereafter amended, to

1 insure that all such programs comply with this Section and  
2 Section 14-8.02.

3 No otherwise qualified disabled child receiving special  
4 education and related services under Article 14 shall solely  
5 by reason of his or her disability be excluded from the  
6 participation in or be denied the benefits of or be subjected  
7 to discrimination under any program or activity provided by a  
8 State agency.

9 State agencies providing special education and related  
10 services, including room and board, either directly or  
11 through grants or purchases of services shall continue to  
12 provide these services according to current law and practice.  
13 Room and board costs not provided by a State agency other  
14 than the State Board of Education shall be provided by the  
15 State Board of Education to the extent of available funds.  
16 An amount equal to one-half of the State education agency's  
17 share of IDEA PART B federal monies, or so much thereof as  
18 may actually be needed, shall annually be appropriated to pay  
19 for the additional costs of providing for room and board for  
20 those children placed pursuant to Section 14-7.02 of this  
21 Code Act and, after all such room and board costs are paid,  
22 for similar expenditures for children served pursuant to  
23 Section 14-7.02 ~~or~~--14-7.02a of this Code Act, based in  
24 community based programs that serve as alternatives to  
25 residential placements.

26 Beginning with Fiscal Year 1997 and continuing through  
27 Fiscal Year 2000, 100% of the former Chapter I, Section  
28 89-313 federal funds shall be allocated by the State Board of  
29 Education in the same manner as IDEA, PART B "flow through"  
30 funding to local school districts, joint agreements, and  
31 special education cooperatives for the maintenance of  
32 instructional and related support services to students with  
33 disabilities. However, beginning with Fiscal Year 1998, the  
34 total IDEA Part B discretionary funds available to the State

1 Board of Education shall not exceed the maximum permissible  
2 under federal law or 20% of the total federal funds available  
3 to the State, whichever is less. In no case shall the  
4 aggregate IDEA Part B discretionary funds received by the  
5 State Board of Education exceed the amount of IDEA Part B  
6 discretionary funds available to the State Board of Education  
7 for Fiscal Year 1997, excluding any carryover funds from  
8 prior fiscal years, increased by 3% for Fiscal Year 1998 and  
9 increased by an additional 3% for each fiscal year  
10 thereafter. After all room and board payments and similar  
11 expenditures are made by the State Board of Education as  
12 required by this Section, the State Board of Education may  
13 use the remaining funds for administration and for providing  
14 discretionary activities. However, the State Board of  
15 Education may use no more than 25% of its available IDEA Part  
16 B discretionary funds for administrative services.

17 Special education and related services included in the  
18 child's individualized educational program which are not  
19 provided by another State agency shall be included in the  
20 special education and related services provided by the State  
21 Board of Education and the local school district.

22 The State Board of Education with the advice of the  
23 Advisory Council shall prescribe the standards and make the  
24 necessary rules and regulations for special education  
25 programs administered by local school boards, including but  
26 not limited to establishment of classes, training  
27 requirements of teachers and other professional personnel,  
28 eligibility and admission of pupils, the curriculum, class  
29 size limitation, building programs, housing, transportation,  
30 special equipment and instructional supplies, and the  
31 applications for claims for reimbursement. The State Board of  
32 Education shall promulgate rules and regulations for annual  
33 evaluations of the effectiveness of all special education  
34 programs and annual evaluation by the local school district

1 of the individualized educational program for each child for  
2 whom it provides special education services.

3 A school district is responsible for the provision of  
4 educational services for all school age children residing  
5 within its boundaries excluding any student placed under the  
6 provisions of Section 14-7.02 or any disabled student whose  
7 parent or guardian lives outside of the State of Illinois as  
8 described in Section 14-1.11.

9 (Source: P.A. 89-397, eff. 8-20-95; 89-622, eff. 8-9-96;  
10 90-547, eff. 12-1-97.)

11 (105 ILCS 5/18-4.3) (from Ch. 122, par. 18-4.3)

12 Sec. 18-4.3. Summer school grants. Grants shall be  
13 determined for pupil attendance in summer schools conducted  
14 under Sections 10-22.33A and 34-18 and approved under Section  
15 2-3.25 in the following manner.

16 The amount of grant for each accredited summer school  
17 attendance pupil shall be obtained by dividing the total  
18 amount of apportionments determined under Section 18-8.05 by  
19 the actual number of pupils in average daily attendance used  
20 for such apportionments. The number of credited summer  
21 school attendance pupils shall be determined (a) by counting  
22 clock hours of class instruction by pupils enrolled in grades  
23 1 through 12 in approved courses conducted at least 60 clock  
24 hours in summer sessions; (b) by dividing such total of clock  
25 hours of class instruction by 4 to produce days of credited  
26 pupil attendance; (c) by dividing such days of credited pupil  
27 attendance by the actual number of days in the regular term  
28 as used in computation in the general apportionment in  
29 Section 18-8.05; and (d) by multiplying by 1.25.

30 The amount of the grant for a summer school program  
31 approved by the State Superintendent of Education for  
32 children with disabilities, as defined in Sections 14-1.02  
33 through 14-1.07, shall be determined in the manner contained

1 above except that average daily membership shall be utilized  
2 in lieu of average daily attendance.

3 In the case of an apportionment based on summer school  
4 attendance or membership pupils, the claim therefor shall be  
5 presented as a separate claim for the particular school year  
6 in which such summer school session ends. On or before  
7 November 1 of each year the superintendent of each eligible  
8 school district shall certify to the State Superintendent of  
9 Education the claim of the district for the summer session  
10 just ended. Failure on the part of the school board to so  
11 certify shall constitute a forfeiture of its right to such  
12 payment. The State Superintendent of Education shall  
13 transmit to the Comptroller no later than December 15th of  
14 each year vouchers for payment of amounts due school  
15 districts for summer school. The State Superintendent of  
16 Education shall direct the Comptroller to draw his warrants  
17 for payments thereof by the 30th day of December. If the  
18 money appropriated by the General Assembly for such purpose  
19 for any year is insufficient, it shall be apportioned on the  
20 basis of claims approved.

21 However, notwithstanding the foregoing provisions, for  
22 each fiscal year the money appropriated by the General  
23 Assembly for the purposes of this Section shall only be used  
24 for grants for approved summer school programs for those  
25 children with disabilities served pursuant to Section  
26 Sections 14-7.02 and 14-7.02a of this the-School Code.

27 (Source: P.A. 90-548, eff. 1-1-98; 91-764, eff. 6-9-00.)

28 (105 ILCS 5/14-7.02a rep.)

29 Section 10. The School Code is amended by repealing  
30 Section 14-7.02a.

31 Section 99. Effective date. This Act takes effect upon  
32 becoming law.