

1 AN ACT relating to schools.

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 Section 18-3 as follows:

6 (105 ILCS 5/18-3) (from Ch. 122, par. 18-3)

7 Sec. 18-3. Tuition of children from orphanages and  
8 children's homes.

9 When the children from any home for orphans, dependent,  
10 abandoned or maladjusted children maintained by any  
11 organization or association admitting to such home children  
12 from the State in general or when children residing in a  
13 school district wherein the State of Illinois maintains and  
14 operates any welfare or penal institution on property owned  
15 by the State of Illinois, which contains houses, housing  
16 units or housing accommodations within a school district,  
17 attend grades kindergarten through 12 of the public schools  
18 maintained by that school district, the State Superintendent  
19 of Education shall direct the State Comptroller to pay a  
20 specified amount sufficient to pay the annual tuition cost of  
21 such children who attended such public schools during the  
22 regular school year ending on June 30 or the summer term for  
23 that school year, and the Comptroller shall pay the amount  
24 after receipt of a voucher submitted by the State  
25 Superintendent of Education.

26 The amount of the tuition for such children attending the  
27 public schools of the district shall be determined by the  
28 State Superintendent of Education by multiplying the number  
29 of such children in average daily attendance in such schools  
30 by 1.2 times the total annual per capita cost of  
31 administering the schools of the district. Such total annual

1 per capita cost shall be determined by totaling all expenses  
 2 of the school district in the educational, operations and  
 3 maintenance, bond and interest, transportation, Illinois  
 4 municipal retirement, and rent funds for the school year  
 5 preceding the filing of such tuition claims less expenditures  
 6 not applicable to the regular K-12 program, less offsetting  
 7 revenues from State sources except those from the common  
 8 school fund, less offsetting revenues from federal sources  
 9 except those from federal impaction aid, less student and  
 10 community service revenues, plus a depreciation allowance;  
 11 and dividing such total by the average daily attendance for  
 12 the year.

13 Annually on or before June 30 the superintendent of the  
 14 district upon forms prepared by the State Superintendent of  
 15 Education shall certify to the regional superintendent the  
 16 following:

17 1. The name of the home and of the organization or  
 18 association maintaining it; or the legal description of the  
 19 real estate upon which the house, housing units, or housing  
 20 accommodations are located and that no taxes or service  
 21 charges or other payments authorized by law to be made in  
 22 lieu of taxes were collected therefrom or on account thereof  
 23 during either of the calendar years included in the school  
 24 year for which claim is being made;

25 2. The number of children from the home or living in  
 26 such houses, housing units or housing accommodations and  
 27 attending the schools of the district;

28 3. The total number of children attending the schools of  
 29 the district;

30 4. The per capita tuition charge of the district; and

31 5. The computed amount of the tuition payment claimed as  
 32 due.

33 Whenever the persons in charge of such home for orphans,  
 34 dependent, abandoned or maladjusted children have received

1 from the parent or guardian of any such child or by virtue of  
2 an order of court a specific allowance for educating such  
3 child, such persons shall pay to the school board in the  
4 district where the child attends school such amount of the  
5 allowance as is necessary to pay the tuition required by such  
6 district for the education of the child. If the allowance is  
7 insufficient to pay the tuition in full the State  
8 Superintendent of Education shall direct the Comptroller to  
9 pay to the district the difference between the total tuition  
10 charged and the amount of the allowance.

11 Whenever the facilities of a school district in which  
12 such house, housing units or housing accommodations are  
13 located, are limited, pupils may be assigned by that district  
14 to the schools of any adjacent district to the limit of the  
15 facilities of the adjacent district to properly educate such  
16 pupils as shall be determined by the school board of the  
17 adjacent district, and the State Superintendent of Education  
18 shall direct the Comptroller to pay a specified amount  
19 sufficient to pay the annual tuition of the children so  
20 assigned to and attending public schools in the adjacent  
21 districts and the Comptroller shall draw his warrant upon the  
22 State Treasurer for the payment of such amount for the  
23 benefit of the adjacent school districts in the same manner  
24 as for districts in which the houses, housing units or  
25 housing accommodations are located.

26 The school district shall certify to the State  
27 Superintendent of Education the report of claims due for such  
28 tuition payments on or before July 31. Failure on the part of  
29 the school board to certify its claim on July 31 shall  
30 constitute a forfeiture by the district of its right to the  
31 payment of any such tuition claim for the school year just  
32 ended. The State Superintendent of Education shall direct  
33 the Comptroller to pay to the district, on or before August  
34 15, the amount due the district for the school year in

1 accordance with the calculation of the claim as set forth in  
2 this Section.

3 Claims for tuition for children from any home for orphans  
4 or dependent, abandoned, or maladjusted children beginning  
5 with the 1993-1994 school year shall be paid on a current  
6 year basis. On September 30, December 31, and March 31, the  
7 State Board of Education shall voucher payments for districts  
8 with those students based on an estimated cost calculated  
9 from the prior year's claim. Final claims for those students  
10 for the regular school term and summer term must be received  
11 at the State Board of Education by July 31 following the end  
12 of the regular school year. Final claims for those students  
13 shall be vouchered by August 15. During fiscal year 1994  
14 both the 1992-1993 school year and the 1993-1994 school year  
15 shall be paid in order to change the cycle of payment from a  
16 reimbursement basis to a current year funding basis of  
17 payment. However, notwithstanding any other provisions of  
18 this Section or the School Code, beginning with fiscal year  
19 1994 and each fiscal year thereafter, if the amount  
20 appropriated for any fiscal year is less than the amount  
21 required for purposes of this Section, the amount required to  
22 eliminate any insufficient reimbursement for each district  
23 claim under this Section shall be reimbursed on August 30 of  
24 the next fiscal year. Payments required to eliminate any  
25 insufficiency for prior fiscal year claims shall be made  
26 before any claims are paid for the current fiscal year.

27 If a school district makes a claim for reimbursement  
28 under Section 18-4 or 14-7.03 it shall not include in any  
29 claim filed under this Section children residing on the  
30 property of State institutions included in its claim under  
31 Section 18-4 or 14-7.03.

32 Any child who is not a resident of Illinois who is placed  
33 in a child welfare institution, private facility, State  
34 operated program, orphanage or children's home shall have the

1 payment for his educational tuition and any related services  
2 assured by the placing agent.

3 In order to provide services appropriate to allow a  
4 student under the legal guardianship or custodianship of the  
5 State to participate in local school district educational  
6 programs, costs may be incurred in appropriate cases by the  
7 district that are in excess of 1.2 times the district per  
8 capita tuition charge allowed under the provisions of this  
9 Section. In the event such excess costs are incurred, they  
10 must be documented in accordance with cost rules established  
11 under the authority of this Section and may then be claimed  
12 for reimbursement under this Section.

13 Planned services for students eligible for this funding  
14 must be a collaborative effort between the appropriate State  
15 agency or the student's group home or institution and the  
16 local school district.

17 (Source: P.A. 90-463, eff. 8-17-97; 90-644, eff. 7-24-98;  
18 91-764, eff. 6-9-00.)