

1 AN ACT regarding 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 18-8.05 as follows:

6 (105 ILCS 5/18-8.05)

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

10 (A) General Provisions.

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

27 (2) In addition to general State financial aid, school
28 districts with specified levels or concentrations of pupils
29 from low income households are eligible to receive
30 supplemental general State financial aid grants as provided
31 pursuant to subsection (H) of this Section. The supplemental

1 State aid grants provided for school districts under
2 subsection (H) shall be appropriated for distribution to
3 school districts as part of the same line item in which the
4 general State financial aid of school districts is
5 appropriated under this Section.

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

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

26 (b) School district claims filed under this Section
27 are subject to Sections 18-9, 18-10, and 18-12, except as
28 otherwise provided in this Section.

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

34 (d) (Blank).

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

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

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

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

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

19 (c) "Corporate Personal Property Replacement
20 Taxes": Funds paid to local school districts pursuant to
21 "An Act in relation to the abolition of ad valorem
22 personal property tax and the replacement of revenues
23 lost thereby, and amending and repealing certain Acts and
24 parts of Acts in connection therewith", certified August
25 14, 1979, as amended (Public Act 81-1st S.S.-1).

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

29 (e) "Operating Tax Rate": All school district
30 property taxes extended for all purposes, except Bond and
31 Interest, Summer School, Rent, Capital Improvement, and
32 Vocational Education Building purposes.

33 (B) Foundation Level.

34 (1) The Foundation Level is a figure established by the

1 State representing the minimum level of per pupil financial
2 support that should be available to provide for the basic
3 education of each pupil in Average Daily Attendance. As set
4 forth in this Section, each school district is assumed to
5 exert a sufficient local taxing effort such that, in
6 combination with the aggregate of general State financial aid
7 provided the district, an aggregate of State and local
8 resources are available to meet the basic education needs of
9 pupils in the district.

10 (2) For the 1998-1999 school year, the Foundation Level
11 of support is \$4,225. For the 1999-2000 school year, the
12 Foundation Level of support is \$4,325. For the 2000-2001
13 school year, the Foundation Level of support is \$4,425.

14 (3) For the 2001-2002 school year and each school year
15 thereafter, the Foundation Level of support is \$4,425 or such
16 greater amount as may be established by law by the General
17 Assembly.

18 (C) Average Daily Attendance.

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

30 (2) The Average Daily Attendance figures utilized in
31 subsection (E) shall be the requisite attendance data for the
32 school year immediately preceding the school year for which
33 general State aid is being calculated.

1 (D) Available Local Resources.

2 (1) For purposes of calculating general State aid
3 pursuant to subsection (E), a representation of Available
4 Local Resources per pupil, as that term is defined and
5 determined in this subsection, shall be utilized. Available
6 Local Resources per pupil shall include a calculated dollar
7 amount representing local school district revenues from local
8 property taxes and from Corporate Personal Property
9 Replacement Taxes, expressed on the basis of pupils in
10 Average Daily Attendance.

11 (2) In determining a school district's revenue from
12 local property taxes, the State Board of Education shall
13 utilize the equalized assessed valuation of all taxable
14 property of each school district as of September 30 of the
15 previous year. The equalized assessed valuation utilized
16 shall be obtained and determined as provided in subsection
17 (G).

18 (3) For school districts maintaining grades kindergarten
19 through 12, local property tax revenues per pupil shall be
20 calculated as the product of the applicable equalized
21 assessed valuation for the district multiplied by 3.00%, and
22 divided by the district's Average Daily Attendance figure.
23 For school districts maintaining grades kindergarten through
24 8, local property tax revenues per pupil shall be calculated
25 as the product of the applicable equalized assessed valuation
26 for the district multiplied by 2.30%, and divided by the
27 district's Average Daily Attendance figure. For school
28 districts maintaining grades 9 through 12, local property tax
29 revenues per pupil shall be the applicable equalized assessed
30 valuation of the district multiplied by 1.05%, and divided by
31 the district's Average Daily Attendance figure.

32 (4) The Corporate Personal Property Replacement Taxes
33 paid to each school district during the calendar year 2 years
34 before the calendar year in which a school year begins,

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

8 (E) Computation of General State Aid.

9 (1) For each school year, the amount of general State
10 aid allotted to a school district shall be computed by the
11 State 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
14 the Foundation Level, general State aid for that district
15 shall be calculated as an amount equal to the Foundation
16 Level minus Available Local Resources, multiplied by the
17 Average Daily 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
20 of 0.93 times the Foundation Level and less than the product
21 of 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
24 algorithm, the calculated general State aid per pupil shall
25 decline in direct linear fashion from 0.07 times the
26 Foundation Level for a school district with Available Local
27 Resources equal to the product of 0.93 times the Foundation
28 Level, to 0.05 times the Foundation Level for a school
29 district with Available Local Resources equal to the product
30 of 1.75 times the Foundation Level. The allocation of
31 general State aid for school districts subject to this
32 paragraph 3 shall be the calculated general State aid per
33 pupil figure multiplied by the Average Daily Attendance of
34 the school district.

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

7 (5) The amount of general State aid allocated to a
8 school district for the 1999-2000 school year meeting the
9 requirements set forth in paragraph (4) of subsection (G)
10 shall be increased by an amount equal to the general State
11 aid that would have been received by the district for the
12 1998-1999 school year by utilizing the Extension Limitation
13 Equalized Assessed Valuation as calculated in paragraph (4)
14 of subsection (G) less the general State aid allotted for the
15 1998-1999 school year. This amount shall be deemed a one
16 time increase, and shall not affect any future general State
17 aid allocations.

18 (F) Compilation of Average Daily Attendance.

19 (1) Each school district shall, by July 1 of each year,
20 submit to the State Board of Education, on forms prescribed
21 by the State Board of Education, attendance figures for the
22 school year that began in the preceding calendar year. The
23 attendance information so transmitted shall identify the
24 average daily attendance figures for each month of the school
25 year, except that any days of attendance in August shall be
26 added to the month of September and any days of attendance in
27 June shall be added to the month of May.

28 Except as otherwise provided in this Section, days of
29 attendance by pupils shall be counted only for sessions of
30 not less than 5 clock hours of school work per day under
31 direct supervision of: (i) teachers, or (ii) non-teaching
32 personnel or volunteer personnel when engaging in
33 non-teaching duties and supervising in those instances
34 specified in subsection (a) of Section 10-22.34 and paragraph

1 10 of Section 34-18, with pupils of legal school age and in
2 kindergarten and grades 1 through 12.

3 Days of attendance by tuition pupils shall be accredited
4 only to the districts that pay the tuition to a recognized
5 school.

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

9 (a) Pupils regularly enrolled in a public school
10 for only a part of the school day may be counted on the
11 basis of 1/6 day for every class hour of instruction of
12 40 minutes or more attended pursuant to such enrollment.

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

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

23 (d) A session of 3 or more clock hours may be
24 counted as a day of attendance (1) when the remainder of
25 the school day or at least 2 hours in the evening of that
26 day is utilized for an in-service training program for
27 teachers, up to a maximum of 5 days per school year of
28 which a maximum of 4 days of such 5 days may be used for
29 parent-teacher conferences, provided a district conducts
30 an in-service training program for teachers which has
31 been approved by the State Superintendent of Education;
32 or, in lieu of 4 such days, 2 full days may be used, in
33 which event each such day may be counted as a day of
34 attendance; and (2) when days in addition to those

1 provided in item (1) are scheduled by a school pursuant
2 to its school improvement plan adopted under Article 34
3 or its revised or amended school improvement plan adopted
4 under Article 2, provided that (i) such sessions of 3 or
5 more clock hours are scheduled to occur at regular
6 intervals, (ii) the remainder of the school days in which
7 such sessions occur are utilized for in-service training
8 programs or other staff development activities for
9 teachers, and (iii) a sufficient number of minutes of
10 school work under the direct supervision of teachers are
11 added to the school days between such regularly scheduled
12 sessions to accumulate not less than the number of
13 minutes by which such sessions of 3 or more clock hours
14 fall short of 5 clock hours. Any full days used for the
15 purposes of this paragraph shall not be considered for
16 computing average daily attendance. Days scheduled for
17 in-service training programs, staff development
18 activities, or parent-teacher conferences may be
19 scheduled separately for different grade levels and
20 different attendance centers of the district.

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

27 (f) A session of at least 4 clock hours may be
28 counted as a day of attendance for first grade pupils,
29 and pupils in full day kindergartens, and a session of 2
30 or more hours may be counted as 1/2 day of attendance by
31 pupils in kindergartens which provide only 1/2 day of
32 attendance.

33 (g) For children with disabilities who are below
34 the age of 6 years and who cannot attend 2 or more clock

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

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

24 (G) Equalized Assessed Valuation Data.

25 (1) For purposes of the calculation of Available Local
26 Resources required pursuant to subsection (D), the State
27 Board of Education shall secure from the Department of
28 Revenue the value as equalized or assessed by the Department
29 of Revenue of all taxable property of every school district,
30 together with (i) the applicable tax rate used in extending
31 taxes for the funds of the district as of September 30 of the
32 previous year and (ii) the limiting rate for all school
33 districts subject to property tax extension limitations as
34 imposed under the Property Tax Extension Limitation Law.

1 This equalized assessed valuation, as adjusted further by
2 the requirements of this subsection, shall be utilized in the
3 calculation of Available Local Resources.

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

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

29 (b) The real property equalized assessed valuation
30 for a school district shall be adjusted by subtracting
31 from the real property value as equalized or assessed by
32 the Department of Revenue for the district an amount
33 computed by dividing the amount of any abatement of taxes
34 under Section 18-170 of the Property Tax Code by 3.00%

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

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

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

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

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

22 "Preceding Tax Year": The property tax levy year
 23 immediately preceding the Base Tax Year.

24 "Base Tax Year's Tax Extension": The product of the
 25 equalized assessed valuation utilized by the County Clerk
 26 in the Base Tax Year multiplied by the limiting rate as
 27 calculated by the County Clerk and defined in the
 28 Property Tax Extension Limitation Law.

29 "Preceding Tax Year's Tax Extension": The product of
 30 the equalized assessed valuation utilized by the County
 31 Clerk in the Preceding Tax Year multiplied by the
 32 Operating Tax Rate as defined in subsection (A).

33 "Extension Limitation Ratio": A numerical ratio,
 34 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
4 defined 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, and if the Available Local Resources of that
8 school district as calculated pursuant to subsection (D)
9 using the Base Tax Year are less than the product of 1.75
10 times the Foundation Level for the Budget Year, the State
11 Board of Education shall calculate the Extension Limitation
12 Equalized Assessed Valuation of that district. For the
13 1999-2000 school year, the Extension Limitation Equalized
14 Assessed Valuation of a school district as calculated by the
15 State Board of Education shall be equal to the product of the
16 district's 1996 Equalized Assessed Valuation and the
17 district's Extension Limitation Ratio. For the 2000-2001
18 school year and each school year thereafter, the Extension
19 Limitation Equalized Assessed Valuation of a school district
20 as calculated by the State Board of Education shall be equal
21 to the product of the last calculated Extension Limitation
22 Equalized Assessed Valuation and the district's Extension
23 Limitation Ratio. If the Extension Limitation Equalized
24 Assessed Valuation of a school district as calculated under
25 this subsection (G)(3) is less than the district's equalized
26 assessed valuation as calculated pursuant to subsections
27 (G)(1) and (G)(2), then for purposes of calculating the
28 district's general State aid for the Budget Year pursuant to
29 subsection (E), that Extension Limitation Equalized Assessed
30 Valuation shall be utilized to calculate the district's
31 Available Local Resources under subsection (D).

32 (4) For the purposes of calculating general State aid
33 for the 1999-2000 school year only, if a school district
34 experienced a triennial reassessment on the equalized

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

18 (5) For school districts having a majority of their
19 equalized assessed valuation in any county except Cook,
20 DuPage, Kane, Lake, McHenry, or Will, if the amount of
21 general State aid allocated to the school district for the
22 1999-2000 school year under the provisions of subsection (E),
23 (H), and (J) of this Section is less than the amount of
24 general State aid allocated to the district for the 1998-1999
25 school year under these subsections, then the general State
26 aid of the district for the 1999-2000 school year only shall
27 be increased by the difference between these amounts. The
28 total payments made under this paragraph (5) shall not exceed
29 \$14,000,000. Claims shall be prorated if they exceed
30 \$14,000,000.

31 (H) Supplemental General State Aid.

32 (1) In addition to the general State aid a school
33 district is allotted pursuant to subsection (E), qualifying
34 school districts shall receive a grant, paid in conjunction

1 with a district's payments of general State aid, for
2 supplemental general State aid based upon the concentration
3 level of children from low-income households within the
4 school district. Supplemental State aid grants provided for
5 school districts under this subsection shall be appropriated
6 for distribution to school districts as part of the same line
7 item in which the general State financial aid of school
8 districts is appropriated under this Section. For purposes of
9 this subsection, the term "Low-Income Concentration Level"
10 shall be the low-income eligible pupil count from the most
11 recently available federal census divided by the Average
12 Daily Attendance of the school district. If, however, the
13 percentage decrease from the 2 most recent federal censuses
14 in the low-income eligible pupil count of a high school
15 district with fewer than 400 students exceeds by 75% or more
16 the percentage change in the total low-income eligible pupil
17 count of contiguous elementary school districts, whose
18 boundaries are coterminous with the high school district, the
19 high school district's low-income eligible pupil count from
20 the earlier federal census shall be the number used as the
21 low-income eligible pupil count for the high school district,
22 for purposes of this subsection (H).

23 (2) Supplemental general State aid pursuant to this
24 subsection shall be provided as follows:

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

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

33 (c) For any school district with a Low Income
34 Concentration Level of at least 50% and less than 60%,

1 the grant for the 1998-99 school year shall be \$1,500
2 multiplied by the low income eligible pupil count.

3 (d) For any school district with a Low Income
4 Concentration Level of 60% or more, the grant for the
5 1998-99 school year shall be \$1,900 multiplied by the low
6 income eligible pupil count.

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

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

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
20 from 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
27 aid pursuant to this subsection shall be required to
28 distribute from funds available pursuant to this Section, no
29 less than \$261,000,000 in accordance with the following
30 requirements:

31 (a) The required amounts shall be distributed to
32 the attendance centers within the district in proportion
33 to the number of pupils enrolled at each attendance
34 center who are eligible to receive free or reduced-price

1 lunches or breakfasts under the federal Child Nutrition
2 Act of 1966 and under the National School Lunch Act
3 during the immediately preceding school year.

4 (b) The distribution of these portions of
5 supplemental and general State aid among attendance
6 centers according to these requirements shall not be
7 compensated for or contravened by adjustments of the
8 total of other funds appropriated to any attendance
9 centers, and the Board of Education shall utilize funding
10 from one or several sources in order to fully implement
11 this provision annually prior to the opening of school.

12 (c) Each attendance center shall be provided by the
13 school district a distribution of noncategorical funds
14 and other categorical funds to which an attendance center
15 is entitled under law in order that the general State aid
16 and supplemental general State aid provided by
17 application of this subsection supplements rather than
18 supplants the noncategorical funds and other categorical
19 funds provided by the school district to the attendance
20 centers.

21 (d) Any funds made available under this subsection
22 that by reason of the provisions of this subsection are
23 not required to be allocated and provided to attendance
24 centers may be used and appropriated by the board of the
25 district for any lawful school purpose.

26 (e) Funds received by an attendance center pursuant
27 to this subsection shall be used by the attendance center
28 at the discretion of the principal and local school
29 council for programs to improve educational opportunities
30 at qualifying schools through the following programs and
31 services: early childhood education, reduced class size
32 or improved adult to student classroom ratio, enrichment
33 programs, remedial assistance, attendance improvement,
34 and other educationally beneficial expenditures which

1 supplement the regular and basic programs as determined
2 by the State Board of Education. Funds provided shall
3 not be expended for any political or lobbying purposes as
4 defined by board rule.

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

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

28 If the district fails to distribute State aid to
29 attendance centers in accordance with an approved plan,
30 the plan for the following year shall allocate funds, in
31 addition to the funds otherwise required by this
32 subsection, to those attendance centers which were
33 underfunded during the previous year in amounts equal to
34 such underfunding.

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

21 The State Board of Education shall promulgate rules
22 and regulations to implement the provisions of this
23 subsection. No funds shall be released under this
24 subdivision (H)(4) to any district that has not submitted
25 a plan that has been approved by the State Board of
26 Education.

27 (I) General State Aid for Newly Configured School Districts.

28 (1) For a new school district formed by combining
29 property included totally within 2 or more previously
30 existing school districts, for its first year of existence
31 the general State aid and supplemental general State aid
32 calculated under this Section shall be computed for the new
33 district and for the previously existing districts for which
34 property is totally included within the new district. If the

1 computation on the basis of the previously existing districts
2 is greater, a supplementary payment equal to the difference
3 shall be made for the first 4 years of existence of the new
4 district.

5 (2) For a school district which annexes all of the
6 territory of one or more entire other school districts, for
7 the first year during which the change of boundaries
8 attributable to such annexation becomes effective for all
9 purposes as determined under Section 7-9 or 7A-8, the general
10 State aid and supplemental general State aid calculated under
11 this Section shall be computed for the annexing district as
12 constituted after the annexation and for the annexing and
13 each annexed district as constituted prior to the annexation;
14 and if the computation on the basis of the annexing and
15 annexed districts as constituted prior to the annexation is
16 greater, a supplementary payment equal to the difference
17 shall be made for the first 4 years of existence of the
18 annexing school district as constituted upon such annexation.

19 (3) For 2 or more school districts which annex all of
20 the territory of one or more entire other school districts,
21 and for 2 or more community unit districts which result upon
22 the division (pursuant to petition under Section 11A-2) of
23 one or more other unit school districts into 2 or more parts
24 and which together include all of the parts into which such
25 other unit school district or districts are so divided, for
26 the first year during which the change of boundaries
27 attributable to such annexation or division becomes effective
28 for all purposes as determined under Section 7-9 or 11A-10,
29 as the case may be, the general State aid and supplemental
30 general State aid calculated under this Section shall be
31 computed for each annexing or resulting district as
32 constituted after the annexation or division and for each
33 annexing and annexed district, or for each resulting and
34 divided district, as constituted prior to the annexation or

1 division; and if the aggregate of the general State aid and
2 supplemental general State aid as so computed for the
3 annexing or resulting districts as constituted after the
4 annexation or division is less than the aggregate of the
5 general State aid and supplemental general State aid as so
6 computed for the annexing and annexed districts, or for the
7 resulting and divided districts, as constituted prior to the
8 annexation or division, then a supplementary payment equal to
9 the difference shall be made and allocated between or among
10 the annexing or resulting districts, as constituted upon such
11 annexation or division, for the first 4 years of their
12 existence. The total difference payment shall be allocated
13 between or among the annexing or resulting districts in the
14 same ratio as the pupil enrollment from that portion of the
15 annexed or divided district or districts which is annexed to
16 or included in each such annexing or resulting district bears
17 to the total pupil enrollment from the entire annexed or
18 divided district or districts, as such pupil enrollment is
19 determined for the school year last ending prior to the date
20 when the change of boundaries attributable to the annexation
21 or division becomes effective for all purposes. The amount
22 of the total difference payment and the amount thereof to be
23 allocated to the annexing or resulting districts shall be
24 computed by the State Board of Education on the basis of
25 pupil enrollment and other data which shall be certified to
26 the State Board of Education, on forms which it shall provide
27 for that purpose, by the regional superintendent of schools
28 for each educational service region in which the annexing and
29 annexed districts, or resulting and divided districts are
30 located.

31 (3.5) Claims for financial assistance under this
32 subsection (I) shall not be recomputed except as expressly
33 provided under this Section.

34 (4) Any supplementary payment made under this subsection

1 (I) shall be treated as separate from all other payments made
2 pursuant to this Section.

3 (J) Supplementary Grants in Aid.

4 (1) Notwithstanding any other provisions of this
5 Section, the amount of the aggregate general State aid in
6 combination with supplemental general State aid under this
7 Section for which each school district is eligible shall be
8 no less than the amount of the aggregate general State aid
9 entitlement that was received by the district under Section
10 18-8 (exclusive of amounts received under subsections 5(p)
11 and 5(p-5) of that Section) for the 1997-98 school year,
12 pursuant to the provisions of that Section as it was then in
13 effect. If a school district qualifies to receive a
14 supplementary payment made under this subsection (J), the
15 amount of the aggregate general State aid in combination with
16 supplemental general State aid under this Section which that
17 district is eligible to receive for each school year shall be
18 no less than the amount of the aggregate general State aid
19 entitlement that was received by the district under Section
20 18-8 (exclusive of amounts received under subsections 5(p)
21 and 5(p-5) of that Section) for the 1997-1998 school year,
22 pursuant to the provisions of that Section as it was then in
23 effect.

24 (2) If, as provided in paragraph (1) of this subsection
25 (J), a school district is to receive aggregate general State
26 aid in combination with supplemental general State aid under
27 this Section for the 1998-99 school year and any subsequent
28 school year that in any such school year is less than the
29 amount of the aggregate general State aid entitlement that
30 the district received for the 1997-98 school year, the school
31 district shall also receive, from a separate appropriation
32 made for purposes of this subsection (J), a supplementary
33 payment that is equal to the amount of the difference in the
34 aggregate State aid figures as described in paragraph (1).

1 (3) (Blank).

2 (K) Grants to Laboratory and Alternative Schools.

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

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

22 As used in this Section, "alternative school" means a
23 public school which is created and operated by a Regional
24 Superintendent of Schools and approved by the State Board of
25 Education. Such alternative schools may offer courses of
26 instruction for which credit is given in regular school
27 programs, courses to prepare students for the high school
28 equivalency testing program or vocational and occupational
29 training. A regional superintendent of schools may contract
30 with a school district or a public community college district
31 to operate an alternative school. An alternative school
32 serving more than one educational service region may be
33 established by the regional superintendents of schools of the
34 affected educational service regions. An alternative school

1 serving more than one educational service region may be
2 operated under such terms as the regional superintendents of
3 schools of those educational service regions may agree.

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

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

14 (1) For a school district operating under the financial
15 supervision of an Authority created under Article 34A, the
16 general State aid otherwise payable to that district under
17 this Section, but not the supplemental general State aid,
18 shall be reduced by an amount equal to the budget for the
19 operations of the Authority as certified by the Authority to
20 the State Board of Education, and an amount equal to such
21 reduction shall be paid to the Authority created for such
22 district for its operating expenses in the manner provided in
23 Section 18-11. The remainder of general State school aid for
24 any such district shall be paid in accordance with Article
25 34A when that Article provides for a disposition other than
26 that provided by this Article.

27 (2) (Blank).

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

30 (M) Education Funding Advisory Board.

31 The Education Funding Advisory Board, hereinafter in this
32 subsection (M) referred to as the "Board", is hereby created.
33 The Board shall consist of 5 members who are appointed by the

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

34 The Education Funding Advisory Board shall be deemed

1 established, and the initial members appointed by the
2 Governor to serve as members of the Board shall take office,
3 on the date that the Governor makes his or her appointment of
4 the fifth initial member of the Board, whether those initial
5 members are then serving pursuant to appointment and
6 confirmation or pursuant to temporary appointments that are
7 made by the Governor as in the case of vacancies.

8 The State Board of Education shall provide such staff
9 assistance to the Education Funding Advisory Board as is
10 reasonably required for the proper performance by the Board
11 of its responsibilities.

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

26 (N) (Blank).

27 (O) References.

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

33 (2) References in other laws to State Chapter 1 funds

1 shall be deemed to refer to the supplemental general State
2 aid provided under subsection (H) of this Section.

3 (Source: P.A. 90-548, eff. 7-1-98; incorporates 90-566;
4 90-653, eff. 7-29-98; 90-654, eff. 7-29-98; 90-655, eff.
5 7-30-98; 90-802, eff. 12-15-98; 90-815, eff. 2-11-99; 91-24,
6 eff. 7-1-99; 91-93, eff. 7-9-99; 91-96, eff. 7-9-99; 91-111,
7 eff. 7-14-99; 91-357, eff. 7-29-99; 91-533, eff. 8-13-99;
8 revised 8-27-99.)