Dear Ms. Byrd-Bennett:

On November 15, 2012, the Illinois State Board of Education received your request for a waiver of rules governing Low-Income Students Funds Plans (23 Ill. Adm. Code 203).

State Superintendent of Education Christopher A. Koch has approved your request as a waiver of Sections 203.20(a)(1)(E), 203.20(a)(2)(A), and 203.20(a)(2)(B) of those rules. The approval begins in the 2012-2013 school year and extends through the 2013-2014 school year.

Please let us know if you need a copy of the approved request for your files and one will be sent to you.

Sincerely,

Winnie Tuthill
Principal Rules Consultant
Rules and Waivers Division
wtuthill@isbe.net
telephone: (217) 782-5270
fax: (217) 524-3911
APPLICATION FOR WAIVER OR MODIFICATION OF STATE BOARD RULES AND/OR SCHOOL CODE MANDATES

This application is to be used for seeking a waiver or modification of State Board of Education rules or of School Code mandates in accordance with Section 23.259 of the School Code [105 ILCS 5/2-3.259]. The completed application must be submitted by certified mail, return receipt requested, to the above address. Please use the instructions on reverse side when completing this application. Please note that action on incomplete applications will be delayed until all required documentation is received.

1. The application is for: (Check appropriate box(es) below)

- WAIVER OF SCHOOL CODE
- MODIFICATION OF SCHOOL CODE
- WAIVER OF ISBE RULE
- MODIFICATION OF ISBE RULE

2. APPLICANT'S NAME AND NUMBER

Chicago Public Schools District 299

3. Provide citation or language of the rule(s) or School Code mandate(s) which are the subject of this application.

4. Attach a narrative identifying and justifying the specific request.

a. For proposed waivers and modifications of rules or modifications of School Code mandates that are based upon meeting the intent of the rule or mandate in a more effective, efficient or economical manner, a narrative description must provide all of the required information (see Item 4(a) on the reverse side).

b. All proposed waivers/modifications requested to stimulate innovation or improve student performance, including all proposed waivers of School Code mandates, shall provide the specific plan for improved student performance and school improvement upon which the request is being based and how the applicant will determine success (see Item 4(b) on the reverse side).

c. Applications requesting waivers from Section 17-1.5 of the School Code must include the amount, nature, and reason for the requested relief and all remedies that have been exhausted by the district to comply with the administrative expenditure limitation.

5. Public Testimony: Attach a description of the testimony provided, to include the information enumerated in Item 5 on the reverse side.

6. This application is for: [ ] INITIAL WAIVER/MODIFICATION [ ] RENEWAL OF PREVIOUSLY APPROVED WAIVER/MODIFICATION

This application requests waiver/modification for 2 years (from 2012-2013 school year through 2013-2014 school year).

7. Attach a copy of each public notice required. Any request not meeting the requirements will be returned as ineligible for consideration.

8. Compliance with Notice and Hearing Requirements

I certify that a hearing concerning this application and any associated plan for improved student performance was held on November 14, 2012 and, for those applicants requesting waivers or modifications of the daily physical education requirement, that the regular board meeting(s) were held on of that month.

I further certify that the applicant has met all the notification and hearing requirements enumerated in items A and B on reverse side and that the board of education/board of directors of the applicant identified above approved this application on November 14, 2012.

Date

Signature of Applicant (i.e., District Superintendent/Executive Director/Regional Superintendent)

ISBE F38-77 (10/07)
Attachment A

Item 3: Provide citation or language of the rule(s) or School Code mandate(s) which are the subject of this application:

The following subsections of Title 23, Section 203.20 of the Illinois Administrative Code shall be modified as follows:

Subsection (a)(1)(E):

The number of students enrolled who were eligible to receive free or reduced-price lunches or breakfasts under the federal Child Nutrition Act of 1966 (42 USC 1771 et seq.) or the National School Lunch Act (42 USC 1751 et seq.) as of December 1 the 20th day of attendance of the immediately preceding school year, with an adjustment based upon the 20th day of attendance of the current school year; and

Subsection (a)(2)(A):

The total number of students enrolled in the attendance center as of the last school day in September 20th day of attendance of the immediately preceding school year, with an adjustment based upon the 20th day of attendance of the current school year;

Subsection (a)(2)(B):

The total number of pupils enrolled who were eligible to receive free or reduced-price lunches or breakfasts under the federal Child Nutrition Act of 1966 (42 USC 1771 et seq.) or the National School Lunch Act (42 USC 1751 et seq.) as of December 1 the 20th day of attendance of the immediately preceding school year, with an adjustment based upon the 20th day of attendance of the current school year;

Item 4: Attach a narrative identifying and justifying the specific request.
(4)(a) For requests to meet the intent of the rule or mandate in a more effective, efficient, or economical manner, provide a narrative description which sets forth:
   i) the intent of the rule or mandate to be achieved;
   ii) the manner in which the applicant will meet that intent; and
   iii) how the manner proposed by the applicant will be more effective, efficient or economical.
   iv) In those instances where the applicant proposes a more economical manner, provide a fiscal analysis showing current expenditures related to the request and the projected savings that would result if the request is granted.
The intent of the rule is to provide a fair and equitable distribution of SGSA funds to schools. We believe that using the 20th day enrollment figures from the preceding year and current year instead of only the December 1st date from the preceding year will allow:

1. The most equitable way of distribution for our school district as student enrollment numbers may vary from year to year.

Using a 20th day methodology, all schools (including new and expanding schools) receive SGSA funds.

2. The most current and accurate data is used to ensure that more funding is directed at schools with the most need.

Item 5

Attach a description of the testimony provided, to include the information enumerated in item 5 on the reverse side.

About twenty people were in attendance at the public hearing. A quorum of the Board members was present. Board member Jesse Ruiz chaired the public hearing while Chief Financial Officer, Peter Rogers, presented the attached presentation.

One person, O’kema Lewis, spoke at the public hearing on a topic related to supplemental general state aid funds but unrelated to the actual waiver request. She provided the attached documents to the board.
APPROVE ISBE WAIVER FOR SUPPLEMENTAL GENERAL STATE AID

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THAT THE BOARD:

Approve application for a waiver from the Illinois School Code requirements regarding supplemental general state aid (SGSA).

PUBLIC HEARING AND NOTICE: A public hearing on the waiver will be held on November 14, 2012, before the Board, in accordance with Section 2-3.25g of the Illinois School Code. Notice setting forth the time, date, and place of the hearing was sent to collective bargaining agents and State legislators representing Chicago, as well as published in a Chicago newspaper.

DESCRIPTION OF THE SGSA WAIVER:
Currently, the Section 203.20a of the 23 Illinois Administrative Code requires the school district to use the total number of students receiving free and reduced meals from December 1 of the year preceding the school year as the date to determine the school allocation of SGSA funds. CPS past practice has been to use the schools 20th day of instruction's free and reduced meals count of previous year to determine initial allocation of SGSA funds for current year. A final SGSA allocation is based on the number of eligible students as of 20th day of the current school year. The SGSA waiver will allow the CEO or designee to continue the practice of using the 20th day model.

AUTHORIZATION: Authorize the Chief Executive Officer or designee to execute the waiver application described above and submit it to ISBE in accordance with Section 2-3.25g of the School Code.