

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER e: INSTRUCTION

PART 203

LOW-INCOME STUDENTS FUNDS PLAN (REPEALED)

Section

203.10 School Districts with an Average Daily Attendance of More than 1,000 and Fewer than 50,000 Pupils

203.20 School Districts with an Average Daily Attendance of 50,000 or More Pupils

AUTHORITY: Implementing and authorized by Section 18-8.05(H) of the School Code [105 ILCS 5/18-8.05(H)].

SOURCE: Adopted at 30 Ill. Reg. 4609, effective February 28, 2006; repealed at 42 Ill. Reg. _____, effective _____.

Section 203.10 School Districts with an Average Daily Attendance of More than 1,000 and Fewer than 50,000 Pupils

Each school district with an average daily attendance of more than 1,000 and fewer than 50,000 pupils that qualifies for supplemental general State aid (SGSA) pursuant to Section 18-8.05(H)(2.10) of the School Code [105 ILCS 5/18-8.05(H)(2.10)] shall submit a plan to the State Board of Education prior to October 30 of each year in accordance with this Section.

- a) The plan shall include the following.
 - 1) The identification of strategies for the improvement of instruction that give priority to meeting the educational needs of low-income students (i.e., students who are eligible for free or reduced-price meals under the Child Nutrition Act of 1966 (42 USC 1771 et seq.) or the National School Lunch Act (42 USC 1751 et seq.)).
 - 2) The relevant budget information to describe the manner in which SGSA shall be used to support the district improvement plan strategies that give priority to meeting the educational needs of low-income students.
- b) The plan may be submitted either:
 - 1) As part of the district improvement plan developed pursuant to 23 Ill. Adm. Code 1.85(b), in which case the district shall, in its submission to the State Board, identify the specific sections of the district improvement plan that meet the requirements of this Section; or

- 2) As a separate document.

Section 203.20 School Districts with an Average Daily Attendance of 50,000 or More Pupils

Each school district with an average daily attendance of 50,000 or more pupils that qualifies for supplemental general State aid (SGSA) pursuant to Section 18-8.05(H)(2.10) of the School Code shall submit a plan to the State Board of Education prior to July 15 of each year for the expenditure of no less than \$261,000,000 of its SGSA in accordance with this Section.

- a) The plan required by this Section shall include the following information:
 - 1) For the district as a whole:
 - A) The SGSA allocation, as determined by the State Board of Education pursuant to Section 18-8.05(H)(2.10) of the School Code;
 - B) If applicable, the amount to be allocated from the district's general State aid payment necessary to bring the total SGSA allocation to at least \$261,000,000 (i.e., \$261,000,000 minus the amount specified in subsection (a)(1)(A) of this Section);
 - C) The unexpended SGSA to be carried over from the fiscal year previous to the school year in which the plan is being provided;
 - D) The total SGSA to be distributed to all attendance centers in the school year in which the plan is being provided;
 - 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 of the immediately preceding school year; and
 - F) The SGSA per-pupil allocation to be used to determine the distribution of SGSA to each attendance center, consisting of the amount specified in subsection (a)(1)(D) of this Section divided by the amount specified in subsection (a)(1)(E) of this Section.
 - 2) For each attendance center in the district to which SGSA is being allocated:
 - A) The total number of students enrolled in the attendance center as of the last school day in September of the immediately preceding school year;

- 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 of the immediately preceding school year;
 - C) The district's allocation of basic funds to each attendance center for the school year for which the plan is being submitted, to include the total appropriation from local funds, such as the General Fund, Tort Fund, Public Building Commission Fund, and Operations and Maintenance Fund;
 - D) The district's allocation of other categorical funds to the attendance center for the school year for which the plan is being submitted, consisting of all appropriations from any other local, State or federal funds;
 - E) The district's allocation of the SGSA to the attendance center, consisting of the amount specified in subsection (a)(1)(F) of this Section multiplied by the amount specified in subsection (a)(2)(B) of this Section;
 - F) The SGSA funds allocated to the attendance center in prior fiscal years that have not been spent;
 - G) The total SGSA entitlement, consisting of the SGSA allocation and the carryover amount;
 - H) The sum of the basic funds, other categoricals and SGSA for the school year for which the plan is being provided; and
 - I) The per-pupil spending amount, consisting of the amount specified in subsection (a)(2)(H) of this Section divided by the amount specified in subsection (a)(2)(A) of this Section.
- b) By submitting the plan, the district certifies to the State Board of Education that, through a process of review of the school expenditure plans developed in accordance with Section 34-2.3(4) of the School Code [105 ILCS 5/34-2.3(4)], the district has determined the following.
- 1) The plan is consistent with the decisions of local school councils concerning the school expenditure plans.
 - 2) SGSA shall be used by each attendance center solely for the following types of programs and services:

- A) early childhood education;
 - B) reduced class size or improved adult-to-student classroom ratio;
 - C) enrichment programs;
 - D) remedial assistance;
 - E) attendance improvement; or
 - F) other educational beneficial expenditures that supplement the regular and basic programs of the school. These other expenditures cannot include expenditures for:
 - i) political activities, as defined in Section 1-5 of the State Officials and Employees Ethics Act [5 ILCS 430/1-5];
 - ii) any activities associated with inducing federal, State or local legislators to vote in a certain manner, or any expenditures to support or oppose any statute, administrative rule or ordinance;
 - iii) out-of-State travel; or
 - iv) interscholastic sports equipment or uniforms.
- 3) Each program and service described in subsection (b)(2) of this Section constitutes a supplemental, as opposed to a regular and basic, program. For purposes of this subsection (b)(3), a “regular and basic program” means any program, including capital expenditures, that is generally available to students in district attendance centers of the same type (e.g., elementary, secondary, vocational, magnet) or that is made available through a categorical program because of a student’s special needs (e.g., programs for students with disabilities or programs for limited English proficiency students).
- 4) The plan components give, insofar as possible, priority to meeting the educational needs of low-income students (i.e., students who are eligible for free or reduced-price meals under the Child Nutrition Act of 1966 (42 USC 1771 et seq.) or the National School Lunch Act (42 USC 1751 et seq.)).
- 5) The distribution of SGSA among attendance centers is *not compensated for or contravened by adjustments of the total of other funds appropriated to any attendance center* [105 ILCS 5/18-8.05(H)(4)(b)].

- c) The State Superintendent of Education shall review the plan to determine whether it complies with the requirements of this Section and Section 18-8.05(H)(4) of the School Code.
- 1) Within 60 days after receipt of the plan, the State Superintendent of Education shall provide written notification to the district of whether the plan is accepted or rejected. If the plan is rejected, then the State Superintendent of Education shall specify in the written notification the basis for rejection.
 - 2) Within 15 days after receiving the rejection notice, the district shall submit written notice to the State Superintendent of Education of its intent to modify its plan.
 - 3) Within 30 days after the date of the district's notice of intent to modify the plan, the district shall submit a modified plan responding to the State Superintendent's basis for rejection.
- d) The district is required to file with the State Superintendent of Education by December 1 of each year a report of expenditure data for the preceding school year. The filing of the report of expenditure data also shall constitute a certification by the district that the determinations set forth in subsection (b) of this Section made at the time of the filing of the plan for the preceding school year remain true and correct. Each report of expenditure data for the preceding school year shall provide:
- 1) For the district, the information required by subsection (a)(1) of this Section; and
 - 2) For each attendance center:
 - A) the information required by subsection (a)(2) of this Section;
 - B) The amount of SGSA expended in the year for which the report is being submitted; and
 - C) The amount by which the SGSA allocated to the attendance center reported was less or more than the amount of SGSA that was expended.
 - 3) For the current school year, the final plan for SGSA that provides the information required by subsections (a)(1) and (a)(2) of this Section and that describes in a narrative or other format any modifications made to the plan in accordance with subsection (c) of this Section or amendments approved pursuant to subsection (e) of this Section.

- e) The State Superintendent of Education shall review the expenditure report and modifications submitted pursuant to subsection (f) of this Section to determine whether they comply with the expenditure provisions of this Section and Section 18-8.05(H)(4) of the School Code.
 - 1) Within 60 days after receipt of the report, the State Superintendent of Education shall provide written notification to the district and any affected local school council if its review determines that there has been contravention or supplanting.
 - 2) Within 45 days after receiving the written notification, the district shall submit written notice to the State Board of Education of *the remedial or corrective action to be taken, whether by amendment of the current plan, if feasible, or by adjustment in the plan for the following year* (see Section 18-8.05(H)).
- f) The district must seek an amendment of the plan whenever the amount of SGSA allocated to an attendance center is to be changed by more than \$1,000 or 20 percent (whichever is larger).
 - 1) All requests for plan amendments shall be approved by the principal, local school council and district to the same extent required for the plan itself.
 - 2) Any requested plan amendment shall be submitted to the State Superintendent of Education for review to determine whether it complies with the requirements of this Section and Section 18-8.05(H)(4) of the School Code.
 - A) Within 30 days after its receipt of the amendment, the State Superintendent of Education shall provide written notification to the district of whether the plan is accepted or rejected. If the amendment is rejected, then the State Superintendent of Education shall specify in the written notification the basis for rejection.
 - B) If the requested amendment is rejected, then the district shall either withdraw the amendment request or, within 30 days after receipt of a rejection notice, submit a modified plan amendment request responding to the State Superintendent's basis for rejection.
- g) The district and each attendance center shall retain all records and documentation necessary to demonstrate compliance with Section 18-8.05(H) of the School Code and this Part. The records and documentation shall be made available to the State Board of Education for inspection. Failure to produce the records and documentation may affect the district's recognition status, pursuant to 23 Ill. Adm. Code 1.20.