

**Illinois State Board of Education
Division of Funding and Disbursement Services
Overview of State Special Education Funding**

What is special education and what is required?

Special education is the provision of specialized instruction, and related services if required, to eligible children and youth with disabilities who require said services. While special education services have been provided for more than 100 years by the State or school districts, it was in 1965, effective 1969, that the State mandated school districts, individually and collectively, to provide services for individuals ages 3-21, and conduct “child find” activities ages birth – 21. The federal requirements of 1975 modified State law slightly. In 1991 the Early Intervention Services Systems Act added the requirement of school districts serving children birth through age 2 in conjunction with community-based organizations.

Disabilities served are of a high incidence nature (e.g. learning disabilities or speech/language impairments), a moderate incidence (e.g. cognitive or emotional/behavior impairments), or a low incidence nature (e.g. deaf, hearing impaired, visually impaired, orthopedically impaired, multiple impairments, autism or traumatic brain injury). Illinois takes a count of all students with disabilities receiving services as of December 1 each year. Historical child count data can be accessed at <https://www.isbe.net/Documents/sped-child-count-history.pdf>

Public Act 100-0465 (Effective August 31, 2017)

Public act 100-0465 comprehensively changed education funding distribution to local education agencies and included significant changes to special education programs. Specifically, the Special Education Summer School 105 ILCS 5/18-4.3, Special Education Personnel 105 ILCS 5/14-13.01 and Funding for Children Requiring Special Education Services 105 ILCS 5/14-7.02b programs were eliminated. The appropriations for these programs, populations and services were integrated into the new Evidence Based Funding program 105 ILCS 5/18-8.15. In addition, the two block grant programs created for Chicago District 299 105 ILCS 5/1D (see PA 89-15 effective May 30, 1995) were repealed. Beginning with fiscal year 2018, Chicago District 299 receives funding for all special education programs in the same manner as all other school districts.

Private Tuition (105 ILCS 5/14-7.02)

Last Change: P.A. 80-1405, effective August 1978

This program provides reimbursement for a portion of the private facility tuition costs incurred by the district from the prior school year. The private tuition reimbursement formula states that the district is obligated to pay the first per capita tuition charge with local funds. The state reimburses the difference between \$4,500 and the district's first per capita tuition charge, if any. The school district is then required to expend a second per capita tuition charge with local funds, with the state reimbursing any excess over this amount.

In practice, there is no district with a per capita tuition rate less than \$4,500; therefore, the district is obligated for two times their district per capita tuition charge and the state reimburses the district for the remainder of the approved tuition rate paid for the school year, including summer school when approved. If a student is enrolled less than a full year, all items are prorated down accordingly.

FY 2021 Appropriation = \$152,320,000

Special Transportation (105 ILCS 5/14-13.01(b))

Last Change: Laws of 1965, effective July 1965

This program reimburses school districts a portion of the costs incurred in transporting pupils with disabilities who have special transportation needs. Reimbursement is provided for transporting students with disabilities if their Individualized Education Program (IEP) requires special transportation assistance as a related service, or the nature of their disability is such that the service is required. The state program pays a maximum of 4/5 (80%) of the district's allowable costs for transporting pupils with disabilities. Districts are reimbursed quarterly for their claims submitted for prior-year expenses.

FY 2021 Appropriation = \$387,682,600

Special Education Orphanage Tuition (105 ILCS 5/14-7.03)

Last Change: P.A. 101-0017, effective June 2019

This program reimburses on a current year basis 100% of the tuition costs for eligible students with disabilities who are under the guardianship of a public agency or who reside in state residential facilities. This line item includes regular term and summer term. All students must be verified as a youth in care of the state to be eligible for funding under Section 14-7.03. Most of the special needs students claimed under Section 14-7.03 are verified via a cross check with the Department of Children and Family Services (DCFS) or the serving district must provide court documentation that parental guardianship has been removed from the natural parent.

In some instances, parental rights do not necessarily need to be terminated for a special education pupil to be claimed under this statute. If a state agency (e.g. DCFS) places a pupil in a state-owned institution, the district where the facility is located becomes the pupil's district of residence and can make a claim under 14-7.03.

Estimated payments are computed and vouchered in the current school year via quarterly installments on or before September 30, December 31, March 31 based on each district's prior year's claim. Per P.A. 101-0017 effective June 4, 2019, claims for eligible students served in the regular term must be received at the Illinois State Board of Education (ISBE) on or before June 15. Claims may be amended until August 1.

Final payments are vouchered on or before August 31 based on actual per pupil educational costs for providing service delivery less federal funds and certain limitations on administrative, supervisory, and facility use costs. Claims for eligible students served in the summer term must be received at ISBE on or before November 1. Final payments are vouchered on or before December 15 based on actual costs.

FY 2021 Appropriation = \$91,700,000

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