

**RESOLUTION of Board of Education of Effingham Community Unit School District No. 40, Effingham County, Illinois to abate the Working Cash Fund pursuant to the provisions of Article 20 of *The School Code* of the State of Illinois.**

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**WHEREAS**, the Board of Education (the "Board") of Effingham Community Unit School District No. 40, Effingham County, Illinois (the "District") has heretofore created and established a Working Cash Fund (the "Fund") in and for the District, pursuant to Article 20 of *The School Code*, 105 ILCS 5/20-1 *et seq.*; and

**WHEREAS**, § 20-10 of *The School Code* authorizes the Board to abate the Fund at any time, upon the adoption of a resolution so providing, and to direct the transfer of moneys in the Fund to any fund or funds of the District most in need of the money, provided that the District maintains an amount to the credit of the Working Cash Fund (including the amount of any taxes levied for working cash purposes pursuant to § 20-3 of *The School Code* and not yet collected, and amounts transferred pursuant to § 20-4 of *The School Code* from the Fund to other funds of the District as loans repayable to the Fund), at least equal to 0.05% of the equalized assessed valuation of taxable property in the District; and

**WHEREAS**, the Board has determined and does hereby determine that it is necessary and in the best interests of the District that the Working Cash Fund be abated;

**NOW, THEREFORE**, Be It Resolved by the Board of Education of Effingham Community Unit School District No. 40, Effingham County, Illinois, as follows:

**Section 1. Incorporation of Preambles.** The Board hereby finds and determines that the recitals contained in the preambles to this Resolution are true and correct, and hereby incorporates them into this Resolution by reference.

**Section 2. Abatement Amount.** The Working Cash Fund of the District shall be abated in accordance with § 20-10 of *The School Code* as of the date hereof by the

amount of nine hundred and seventy five thousand and No/100ths Dollars (\$975,000) (the "Abatement Amount").

**Section 3. Permanent Transfer.** The School Treasurer of the District is hereby authorized and directed to forthwith permanently transfer the Abatement Amount from the Working Cash Fund to the Operation and Maintenance Fund, the Board hereby finding the Operation and Maintenance Fund to be the fund of the District most in need of the moneys being transferred.

**Section 4. Additional Findings.** The Board hereby finds and determines that the Abatement Amount, when added to the Operations and Maintenance Fund of the District and without regard to any subsequent transfers of the Abatement Amount, will not result in an excessive accumulation of assets in the Operations and Maintenance Fund and further, that the Working Cash Fund balance will, after the permanent transfer authorized in Section 3 above, be equal to at least 0.05% of the equalized assessed valuation of taxable property in the District.

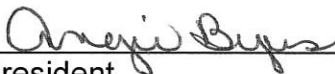
**Section 5. Outstanding Loans.** If necessary to effectuate such abatement and permanent transfer, outstanding loans from the Working Cash Fund to any other funds of the District in an amount, together with any cash immediately transferred pursuant to Section 2 and 3 above, equal in the aggregate to the Abatement Amount, shall be paid to the Operations and Maintenance Fund of the District, and any remaining outstanding loans shall be paid to the Working Cash Fund at the time and in the manner required by *The School Code*.

**Section 6. Severability.** In the event any provision or provisions of this Resolution shall be held to be invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect any of the remaining provisions hereof.

**Section 7. Repealer; Effective Date.** All resolutions or parts thereof in conflict herewith be and the same are hereby repealed, and this Resolution shall be in full force and effect upon its passage.

Adopted this 17th day of August, 2020.

BOARD OF EDUCATION  
EFFINGHAM COMMUNITY UNIT  
SCHOOL DISTRICT NO. 40  
EFFINGHAM COUNTY, ILLINOIS

  
\_\_\_\_\_  
President

ATTEST:

  
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Secretary