



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB4591

by Rep. Robert F. Martwick

SYNOPSIS AS INTRODUCED:

105 ILCS 5/27A-11

Amends the Charter Schools Law of the School Code. Provides that if a charter school dismisses a pupil from the charter school after receiving a quarterly payment from the school district, the charter school shall return to the school district an amount equal to 100% of the school district's per capita student tuition, on a pro rata basis, for the time the student is not enrolled at the charter school. Effective immediately.

LRB098 17997 NHT 53122 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

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 Section
5 27A-11 as follows:

6 (105 ILCS 5/27A-11)

7 Sec. 27A-11. Local financing.

8 (a) For purposes of the School Code, pupils enrolled in a
9 charter school shall be included in the pupil enrollment of the
10 school district within which the pupil resides. Each charter
11 school (i) shall determine the school district in which each
12 pupil who is enrolled in the charter school resides, (ii) shall
13 report the aggregate number of pupils resident of a school
14 district who are enrolled in the charter school to the school
15 district in which those pupils reside, and (iii) shall maintain
16 accurate records of daily attendance that shall be deemed
17 sufficient to file claims under Section 18-8 notwithstanding
18 any other requirements of that Section regarding hours of
19 instruction and teacher certification.

20 (b) Except for a charter school established by referendum
21 under Section 27A-6.5, as part of a charter school contract,
22 the charter school and the local school board shall agree on
23 funding and any services to be provided by the school district

1 to the charter school. Agreed funding that a charter school is
2 to receive from the local school board for a school year shall
3 be paid in equal quarterly installments with the payment of the
4 installment for the first quarter being made not later than
5 July 1, unless the charter establishes a different payment
6 schedule. However, if a charter school dismisses a pupil from
7 the charter school after receiving a quarterly payment, the
8 charter school shall return to the school district an amount
9 equal to 100% of the school district's per capita student
10 tuition, on a pro rata basis, for the time the student is not
11 enrolled at the charter school.

12 All services centrally or otherwise provided by the school
13 district including, but not limited to, rent, food services,
14 custodial services, maintenance, curriculum, media services,
15 libraries, transportation, and warehousing shall be subject to
16 negotiation between a charter school and the local school board
17 and paid for out of the revenues negotiated pursuant to this
18 subsection (b); provided that the local school board shall not
19 attempt, by negotiation or otherwise, to obligate a charter
20 school to provide pupil transportation for pupils for whom a
21 district is not required to provide transportation under the
22 criteria set forth in subsection (a) (13) of Section 27A-7.

23 In no event shall the funding be less than 75% or more than
24 125% of the school district's per capita student tuition
25 multiplied by the number of students residing in the district
26 who are enrolled in the charter school.

1 It is the intent of the General Assembly that funding and
2 service agreements under this subsection (b) shall be neither a
3 financial incentive nor a financial disincentive to the
4 establishment of a charter school.

5 The charter school may set and collect reasonable fees.
6 Fees collected from students enrolled at a charter school shall
7 be retained by the charter school.

8 (c) Notwithstanding subsection (b) of this Section, the
9 proportionate share of State and federal resources generated by
10 students with disabilities or staff serving them shall be
11 directed to charter schools enrolling those students by their
12 school districts or administrative units. The proportionate
13 share of moneys generated under other federal or State
14 categorical aid programs shall be directed to charter schools
15 serving students eligible for that aid.

16 (d) The governing body of a charter school is authorized to
17 accept gifts, donations, or grants of any kind made to the
18 charter school and to expend or use gifts, donations, or grants
19 in accordance with the conditions prescribed by the donor;
20 however, a gift, donation, or grant may not be accepted by the
21 governing body if it is subject to any condition contrary to
22 applicable law or contrary to the terms of the contract between
23 the charter school and the local school board. Charter schools
24 shall be encouraged to solicit and utilize community volunteer
25 speakers and other instructional resources when providing
26 instruction on the Holocaust and other historical events.

1 (e) (Blank).

2 (f) The State Board shall provide technical assistance to
3 persons and groups preparing or revising charter applications.

4 (g) At the non-renewal or revocation of its charter, each
5 charter school shall refund to the local board of education all
6 unspent funds.

7 (h) A charter school is authorized to incur temporary,
8 short term debt to pay operating expenses in anticipation of
9 receipt of funds from the local school board.

10 (Source: P.A. 90-548, eff. 1-1-98; 90-757, eff. 8-14-98;
11 91-407, eff. 8-3-99.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.