



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB2810

by Rep. Emanuel Chris Welch

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/27A-9

Amends the Charter Schools Law of the School Code. Makes changes concerning charter schools authorized by the Commission. Removes a provision requiring the State Board to notify a school district of the amount of funding to be paid by the State Board to the charter school enrolling students who are residents of the district. Requires the State Board (instead of the Commission) to require a charter school to maintain accurate records of daily attendance that shall be deemed sufficient to file State aid claims. Removes a provision that requires the State Board to withhold from funds otherwise due a district the funds to be paid to the charter school and to pay such amounts to the charter school. Requires the Commission to quarterly certify to the State Board the student enrollment and student residency information (not just the student enrollment) for each of its charter schools. Requires enrollment and residency verification to be reported in a format prescribed by the State Board. Provides that, upon receipt of the certified quarterly enrollment report, the State Board shall pay directly to the charter school the per pupil funds authorized under certain provisions of the Law. Effective immediately.

LRB099 06861 SXM 26939 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-9 as follows:

6 (105 ILCS 5/27A-9)

7 Sec. 27A-9. Term of charter; renewal.

8 (a) A charter may be granted for a period not less than 5  
9 and not more than 10 school years. A charter may be renewed in  
10 incremental periods not to exceed 5 school years.

11 (b) A charter school renewal proposal submitted to the  
12 local school board or the Commission, as the chartering entity,  
13 shall contain:

14 (1) A report on the progress of the charter school in  
15 achieving the goals, objectives, pupil performance  
16 standards, content standards, and other terms of the  
17 initial approved charter proposal; and

18 (2) A financial statement that discloses the costs of  
19 administration, instruction, and other spending categories  
20 for the charter school that is understandable to the  
21 general public and that will allow comparison of those  
22 costs to other schools or other comparable organizations,  
23 in a format required by the State Board.

1 (c) A charter may be revoked or not renewed if the local  
2 school board or the Commission, as the chartering entity,  
3 clearly demonstrates that the charter school did any of the  
4 following, or otherwise failed to comply with the requirements  
5 of this law:

6 (1) Committed a material violation of any of the  
7 conditions, standards, or procedures set forth in the  
8 charter.

9 (2) Failed to meet or make reasonable progress toward  
10 achievement of the content standards or pupil performance  
11 standards identified in the charter.

12 (3) Failed to meet generally accepted standards of  
13 fiscal management.

14 (4) Violated any provision of law from which the  
15 charter school was not exempted.

16 In the case of revocation, the local school board or the  
17 Commission, as the chartering entity, shall notify the charter  
18 school in writing of the reason why the charter is subject to  
19 revocation. The charter school shall submit a written plan to  
20 the local school board or the Commission, whichever is  
21 applicable, to rectify the problem. The plan shall include a  
22 timeline for implementation, which shall not exceed 2 years or  
23 the date of the charter's expiration, whichever is earlier. If  
24 the local school board or the Commission, as the chartering  
25 entity, finds that the charter school has failed to implement  
26 the plan of remediation and adhere to the timeline, then the

1 chartering entity shall revoke the charter. Except in  
2 situations of an emergency where the health, safety, or  
3 education of the charter school's students is at risk, the  
4 revocation shall take place at the end of a school year.  
5 Nothing in this amendatory Act of the 96th General Assembly  
6 shall be construed to prohibit an implementation timetable that  
7 is less than 2 years in duration.

8 (d) (Blank).

9 (e) Notice of a local school board's decision to deny,  
10 revoke or not to renew a charter shall be provided to the  
11 Commission and the State Board. The Commission may reverse a  
12 local board's decision if the Commission finds that the charter  
13 school or charter school proposal (i) is in compliance with  
14 this Article, and (ii) is in the best interests of the students  
15 it is designed to serve. The Commission may condition the  
16 granting of an appeal on the acceptance by the charter school  
17 of funding in an amount less than that requested in the  
18 proposal submitted to the local school board. Final decisions  
19 of the Commission shall be subject to judicial review under the  
20 Administrative Review Law.

21 (f) Notwithstanding other provisions of this Article, if  
22 the Commission on appeal reverses a local board's decision or  
23 if a charter school is approved by referendum, the Commission  
24 shall act as the authorized chartering entity for the charter  
25 school. The Commission shall approve the charter and shall  
26 perform all functions under this Article otherwise performed by

1 the local school board. The State Board shall determine whether  
2 the charter proposal approved by the Commission is consistent  
3 with the provisions of this Article and, if the approved  
4 proposal complies, certify the proposal pursuant to this  
5 Article. The State Board shall report the aggregate number of  
6 charter school pupils resident in a school district to that  
7 district and ~~shall notify the district of the amount of funding~~  
8 ~~to be paid by the State Board to the charter school enrolling~~  
9 ~~such students. The Commission shall require the charter school~~  
10 to maintain accurate records of daily attendance that shall be  
11 deemed sufficient to file claims under Section 18-8.05  
12 notwithstanding any other requirements of that Section  
13 regarding hours of instruction and teacher certification. ~~The~~  
14 ~~State Board shall withhold from funds otherwise due the~~  
15 ~~district the funds authorized by this Article to be paid to the~~  
16 ~~charter school and shall pay such amounts to the charter~~  
17 ~~school.~~

18 (g) For charter schools authorized by the Commission, the  
19 Commission shall quarterly certify to the State Board the  
20 student enrollment and student residency information for each  
21 of its charter schools. Enrollment and residency verification  
22 must be reported in a format prescribed by the State Board.  
23 Upon receipt of the certified quarterly enrollment report, the  
24 State Board shall pay directly to the charter school the per  
25 pupil funds authorized under subsection (e) of this Section and  
26 subsection (b) of Section 27A-11 of this Code.

1           (h) For charter schools authorized by the Commission, the  
2 State Board shall pay directly to a charter school any federal  
3 or State aid attributable to a student with a disability  
4 attending the school.

5           (Source: P.A. 97-152, eff. 7-20-11; 98-739, eff. 7-16-14.)

6           Section 99. Effective date. This Act takes effect upon  
7 becoming law.