

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
10 the school district within which the pupil resides. Each
11 charter school (i) shall determine the school district in
12 which each pupil who is enrolled in the charter school
13 resides, (ii) shall report the aggregate number of pupils
14 resident of a school district who are enrolled in the charter
15 school to the school district in which those pupils reside,
16 and (iii) shall maintain accurate records of daily attendance
17 that shall be deemed sufficient to file claims under Section
18 18-8.15 notwithstanding any other requirements of that Section
19 regarding hours of instruction and teacher licensure.

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
4 the installment for the first quarter being made not later
5 than July 1, unless the charter establishes a different
6 payment schedule. However, if a charter school dismisses a
7 pupil from the charter school after receiving a quarterly
8 payment, the charter school shall return to the school
9 district, on a quarterly basis, the prorated portion of public
10 funding provided for the education of that pupil for the time
11 the student is not enrolled at the charter school. Likewise,
12 if a pupil transfers to a charter school between quarterly
13 payments, the school district shall provide, on a quarterly
14 basis, a prorated portion of the public funding to the charter
15 school to provide for the education of that pupil.

16 For a charter school authorized by a local school board,
17 the amount of per capita tuition charge funding withheld by
18 the local school board as an administrative fee for the
19 purpose of conducting administrative duties related to the
20 administration of the charter school contract, oversight, or
21 authorizing services may not exceed 3% of the agreed funding,
22 and the amount withheld may not result in the charter school
23 receiving less than the minimum funding level required under
24 this subsection (b). Allowable uses for the administrative fee
25 are limited to direct authorizing functions, including charter
26 application review, contract negotiation, performance

1 monitoring, compliance oversight, site visits, financial and
2 governance review, renewal determinations, and required
3 reporting to the State Board. The administrative fee may not
4 be used for general district operations unrelated to charter
5 authorizing. Any portion of the administrative fee that is not
6 expended on allowable uses during the fiscal year shall be
7 returned to the charter school. The local school board shall
8 provide an annual public accounting to the charter school and
9 to the State Board detailing the amount collected as an
10 administrative fee, the allowable uses funded from the fee,
11 and the amount returned to the charter school from any
12 unexpended fee funds.

13 All services centrally or otherwise provided by the school
14 district including, but not limited to, rent, food services,
15 custodial services, maintenance, curriculum, media services,
16 libraries, transportation, and warehousing shall be subject to
17 negotiation between a charter school and the local school
18 board and paid for out of the revenues negotiated pursuant to
19 this subsection (b); provided that the local school board
20 shall not attempt, by negotiation or otherwise, to obligate a
21 charter school to provide pupil transportation for pupils for
22 whom a district is not required to provide transportation
23 under the criteria set forth in subsection (a)(13) of Section
24 27A-7.

25 In no event shall the funding be less than 97% or more than
26 103% of the school district's per capita student tuition

1 multiplied by the number of students residing in the district
2 who are enrolled in the charter school.

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

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

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

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

1 utilize community volunteer speakers and other instructional
2 resources when providing instruction on the Holocaust and
3 other historical events.

4 (e) (Blank).

5 (f) (Blank).

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

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

12 (Source: P.A. 103-175, eff. 6-30-23.)