



Rep. Jack D. Franks

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LRB099 15850 NHT 47792 a

1 AMENDMENT TO HOUSE BILL 5918

2 AMENDMENT NO. _____. Amend House Bill 5918 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 27A-6 and 27A-9 as follows:

6 (105 ILCS 5/27A-6)

7 Sec. 27A-6. Contract contents; applicability of laws and
8 regulations.

9 (a) A certified charter shall constitute a binding contract
10 and agreement between the charter school and a local school
11 board under the terms of which the local school board
12 authorizes the governing body of the charter school to operate
13 the charter school on the terms specified in the contract.

14 (b) Notwithstanding any other provision of this Article,
15 the certified charter may not waive or release the charter
16 school from the State goals, standards, and assessments

1 established pursuant to Section 2-3.64a-5 of this Code.
2 Beginning with the 2003-2004 school year, the certified charter
3 for a charter school operating in a city having a population
4 exceeding 500,000 shall require the charter school to
5 administer any other nationally recognized standardized tests
6 to its students that the chartering entity administers to other
7 students, and the results on such tests shall be included in
8 the chartering entity's assessment reports.

9 (c) Subject to the provisions of subsection (e), a material
10 revision to a previously certified contract or a renewal shall
11 be made with the approval of both the local school board and
12 the governing body of the charter school.

13 (c-5) The proposed contract shall include a provision on
14 how both parties will address minor violations of the contract.

15 (d) The proposed contract between the governing body of a
16 proposed charter school and the local school board as described
17 in Section 27A-7 must be submitted to and certified by the
18 State Board before it can take effect. The State Board's review
19 of the proposed contract shall include a review of incorporated
20 performance frameworks. If the State Board determines that the
21 performance frameworks are not sufficiently rigorous or that
22 they establish unreasonable expectations for the charter
23 school, then the State Board must send the proposed contract
24 back to the governing body and local school board. The
25 governing body and local school board must resubmit appropriate
26 performance frameworks before the contract may be certified. If

1 the State Board recommends that the proposed contract be
2 modified for consistency with this Article before it can be
3 certified, the modifications must be consented to by both the
4 governing body of the charter school and the local school
5 board, and resubmitted to the State Board for its
6 certification. If the proposed contract is resubmitted in a
7 form that is not consistent with this Article, the State Board
8 may refuse to certify the charter.

9 The State Board shall assign a number to each submission or
10 resubmission in chronological order of receipt, and shall
11 determine whether the proposed contract is consistent with the
12 provisions of this Article. If the proposed contract complies,
13 the State Board shall so certify.

14 (e) No renewal of a previously certified contract is
15 effective unless and until the State Board certifies that the
16 renewal is consistent with the provisions of this Article. A
17 material revision to a previously certified contract may go
18 into effect immediately upon approval of both the local school
19 board and the governing body of the charter school, unless
20 either party requests in writing that the State Board certify
21 that the material revision is consistent with the provisions of
22 this Article. If such a request is made, the proposed material
23 revision is not effective unless and until the State Board so
24 certifies.

25 (Source: P.A. 98-972, eff. 8-15-14; 98-1048, eff. 8-25-14;
26 99-78, eff. 7-20-15.)

1 (105 ILCS 5/27A-9)

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

3 (a) For charters granted before the effective date of this
4 amendatory Act of the 99th General Assembly, a ~~A~~ charter may be
5 granted for a period not less than 5 and not more than 10
6 school years. For charters granted on or after the effective
7 date of this amendatory Act of the 99th General Assembly, a
8 charter may be granted for a period of 5 school years. A
9 charter may be renewed in incremental periods not to exceed 5
10 school years, except that the charters of charter schools
11 deemed high-quality must be renewed for a period of not less
12 than 5 and not more than 10 school years. Each authorizer shall
13 create criteria for determining which charter schools meet the
14 high-quality definition. In the absence of such criteria, a
15 high-quality charter school means a charter school that, in the
16 last available ranking, either (i) has been recognized by the
17 State Board as a reward school, as defined in this State's
18 approved waiver of the federal Elementary and Secondary
19 Education Act of 1965, has received the State Board's honor
20 roll designation as a spotlight school, or is an academic
21 excellence award recipient or academic improvement recipient
22 or (ii) has received a rating in the top 40% of schools in a
23 school district under a rating system developed by the charter
24 school's district that is based on multiple indicators of
25 success and used by that district to rate schools in the

1 district.

2 (a-5) Before January 1, 2017, authorizers shall develop
3 performance frameworks that allow authorizers to measure the
4 performance of the charter school they authorize and that allow
5 authorizers of multiple charter schools to compare performance
6 across similarly situated schools using common measures. These
7 performance frameworks shall use comprehensive academic,
8 financial, and operational performance data to make
9 merit-based renewal decisions. The performance frameworks may
10 vary depending on the type of charter school authorized and the
11 mission of the charter school. To guide authorizers in ensuring
12 their performance frameworks are designed to measure charter
13 school quality across similarly situated schools using common
14 measures, on or before June 30, 2017, the State Board shall
15 develop model performance frameworks that authorizers may
16 elect to use instead of developing their own performance
17 frameworks.

18 Authorizers shall incorporate into charter contracts
19 entered into on or after January 1, 2018 either the applicable
20 performance frameworks developed by the State Board or those
21 they have developed. Authorizers may work with charter schools
22 to incorporate the performance frameworks into contracts
23 entered into before January 1, 2018, provided that the
24 authorizer and charter school mutually agree to the contract
25 amendment. All renewal decisions after September 1, 2018 must
26 be based on the charter contract and, to the extent applicable,

1 the performance frameworks. The performance frameworks must be
2 made available for public viewing on the authorizer's Internet
3 website. Using the renewal criteria set forth in the
4 performance frameworks, the authorizer shall report annually
5 to the charter school on the progress and performance of that
6 charter school.

7 (b) A charter school renewal proposal submitted to the
8 local school board or the Commission, as the chartering entity,
9 shall contain:

10 (1) A report on the progress of the charter school in
11 achieving the goals, objectives, pupil performance
12 standards, content standards, and other terms of the
13 initial approved charter proposal; and

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

20 (c) A charter may be revoked or not renewed if the local
21 school board or the Commission, as the chartering entity,
22 clearly demonstrates that the charter school did any of the
23 following, or otherwise failed to comply with the requirements
24 of this law:

25 (1) Committed a material violation of any of the
26 conditions, standards, or procedures set forth in the

1 charter.

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

5 (3) Failed to meet generally accepted standards of
6 fiscal management.

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

9 In the case of revocation, the local school board or the
10 Commission, as the chartering entity, shall notify the charter
11 school in writing of the reason why the charter is subject to
12 revocation. The charter school shall submit a written plan to
13 the local school board or the Commission, whichever is
14 applicable, to rectify the problem. The plan shall include a
15 timeline for implementation, which shall not exceed 2 years or
16 the date of the charter's expiration, whichever is earlier. If
17 the local school board or the Commission, as the chartering
18 entity, finds that the charter school has failed to implement
19 the plan of remediation and adhere to the timeline, then the
20 chartering entity shall revoke the charter. Except in
21 situations of an emergency where the health, safety, or
22 education of the charter school's students is at risk, the
23 revocation shall take place at the end of a school year.
24 Nothing in this amendatory Act of the 96th General Assembly
25 shall be construed to prohibit an implementation timetable that
26 is less than 2 years in duration.

1 (d) (Blank).

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

14 (f) Notwithstanding other provisions of this Article, if
15 the Commission on appeal reverses a local board's decision or
16 if a charter school is approved by referendum, the Commission
17 shall act as the authorized chartering entity for the charter
18 school. The Commission shall approve the charter and shall
19 perform all functions under this Article otherwise performed by
20 the local school board. The State Board shall determine whether
21 the charter proposal approved by the Commission is consistent
22 with the provisions of this Article and, if the approved
23 proposal complies, certify the proposal pursuant to this
24 Article. The State Board shall report the aggregate number of
25 charter school pupils resident in a school district to that
26 district and shall notify the district of the amount of funding

1 to be paid by the State Board to the charter school enrolling
2 such students. The Commission shall require the charter school
3 to maintain accurate records of daily attendance that shall be
4 deemed sufficient to file claims under Section 18-8.05
5 notwithstanding any other requirements of that Section
6 regarding hours of instruction and teacher certification. The
7 State Board shall withhold from funds otherwise due the
8 district the funds authorized by this Article to be paid to the
9 charter school and shall pay such amounts to the charter
10 school.

11 (g) For charter schools authorized by the Commission, the
12 Commission shall quarterly certify to the State Board the
13 student enrollment for each of its charter schools.

14 (h) For charter schools authorized by the Commission, the
15 State Board shall pay directly to a charter school any federal
16 or State aid attributable to a student with a disability
17 attending the school.

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

19 Section 99. Effective date. This Act takes effect upon
20 becoming law."