



Rep. André Thapedi

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LRB099 15850 MLM 47969 a

1 AMENDMENT TO HOUSE BILL 5918

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

5 "Section 5. The School Code is amended by changing Sections
6 27A-9 and 27A-11.5 as follows:

7 (105 ILCS 5/27A-9)

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

9 (a) For charters granted before the effective date of this
10 amendatory Act of the 99th General Assembly, a A charter may be
11 granted for a period not less than 5 and not more than 10
12 school years. For charters granted on or after the effective
13 date of this amendatory Act of the 99th General Assembly, a
14 charter shall be granted for a period of 5 school years. For
15 charters renewed before the effective date of this amendatory
16 Act of the 99th General Assembly, a A charter may be renewed in

1 incremental periods not to exceed 5 school years. For charters
2 renewed on or after the effective date of this amendatory Act
3 of the 99th General Assembly, a charter may be renewed in
4 incremental periods not to exceed 10 school years; however, the
5 Commission may renew a charter only in incremental periods not
6 to exceed 5 years. Authorizers shall ensure that every charter
7 granted on or after the effective date of this amendatory Act
8 of the 99th General Assembly includes standards and goals for
9 academic, organizational, and financial performance. A charter
10 must meet all standards and goals for academic, organizational,
11 and financial performance set forth by the authorizer in order
12 to be renewed for a term in excess of 5 years but not more than
13 10 years. If an authorizer fails to establish standards and
14 goals, a charter shall not be renewed for a term in excess of 5
15 years. Nothing contained in this Section shall require an
16 authorizer to grant a full 10-year renewal term to any
17 particular charter school, but an authorizer may award a full
18 10-year renewal term to charter schools that have a
19 demonstrated track record of improving student performance.

20 (b) A charter school renewal proposal submitted to the
21 local school board or the Commission, as the chartering entity,
22 shall contain:

23 (1) A report on the progress of the charter school in
24 achieving the goals, objectives, pupil performance
25 standards, content standards, and other terms of the
26 initial approved charter proposal; and

1 (2) A financial statement that discloses the costs of
2 administration, instruction, and other spending categories
3 for the charter school that is understandable to the
4 general public and that will allow comparison of those
5 costs to other schools or other comparable organizations,
6 in a format required by the State Board.

7 (c) A charter may be revoked or not renewed if the local
8 school board or the Commission, as the chartering entity,
9 clearly demonstrates that the charter school did any of the
10 following, or otherwise failed to comply with the requirements
11 of this law:

12 (1) Committed a material violation of any of the
13 conditions, standards, or procedures set forth in the
14 charter.

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

18 (3) Failed to meet generally accepted standards of
19 fiscal management.

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

22 In the case of revocation, the local school board or the
23 Commission, as the chartering entity, shall notify the charter
24 school in writing of the reason why the charter is subject to
25 revocation. The charter school shall submit a written plan to
26 the local school board or the Commission, whichever is

1 applicable, to rectify the problem. The plan shall include a
2 timeline for implementation, which shall not exceed 2 years or
3 the date of the charter's expiration, whichever is earlier. If
4 the local school board or the Commission, as the chartering
5 entity, finds that the charter school has failed to implement
6 the plan of remediation and adhere to the timeline, then the
7 chartering entity shall revoke the charter. Except in
8 situations of an emergency where the health, safety, or
9 education of the charter school's students is at risk, the
10 revocation shall take place at the end of a school year.
11 Nothing in this amendatory Act of the 96th General Assembly
12 shall be construed to prohibit an implementation timetable that
13 is less than 2 years in duration.

14 (d) (Blank).

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

1 (f) Notwithstanding other provisions of this Article, if
2 the Commission on appeal reverses a local board's decision or
3 if a charter school is approved by referendum, the Commission
4 shall act as the authorized chartering entity for the charter
5 school. The Commission shall approve the charter and shall
6 perform all functions under this Article otherwise performed by
7 the local school board. The State Board shall determine whether
8 the charter proposal approved by the Commission is consistent
9 with the provisions of this Article and, if the approved
10 proposal complies, certify the proposal pursuant to this
11 Article. The State Board shall report the aggregate number of
12 charter school pupils resident in a school district to that
13 district and shall notify the district of the amount of funding
14 to be paid by the State Board to the charter school enrolling
15 such students. The Commission shall require the charter school
16 to maintain accurate records of daily attendance that shall be
17 deemed sufficient to file claims under Section 18-8.05
18 notwithstanding any other requirements of that Section
19 regarding hours of instruction and teacher certification. The
20 State Board shall withhold from funds otherwise due the
21 district the funds authorized by this Article to be paid to the
22 charter school and shall pay such amounts to the charter
23 school.

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

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 (105 ILCS 5/27A-11.5)

7 Sec. 27A-11.5. State financing. The State Board of
8 Education shall make the following funds available to school
9 districts and charter schools:

10 (1) From a separate appropriation made to the State
11 Board for purposes of this subdivision (1), the State Board
12 shall make transition impact aid available to school
13 districts that approve a new charter school or that have
14 funds withheld by the State Board to fund a new charter
15 school that is chartered by the Commission. The amount of
16 the aid shall equal 90% of the per capita funding paid to
17 the charter school during the first year of its initial
18 charter term, 65% of the per capita funding paid to the
19 charter school during the second year of its initial term,
20 and 35% of the per capita funding paid to the charter
21 school during the third year of its initial term. This
22 transition impact aid shall be paid to the local school
23 board in equal quarterly installments, with the payment of
24 the installment for the first quarter being made by August
25 1st immediately preceding the first, second, and third

1 years of the initial term. The district shall file an
2 application for this aid with the State Board in a format
3 designated by the State Board. If the appropriation is
4 insufficient in any year to pay all approved claims, the
5 impact aid shall be prorated. However, for fiscal year
6 2004, the State Board of Education shall pay approved
7 claims only for charter schools with a valid charter
8 granted prior to June 1, 2003. If any funds remain after
9 these claims have been paid, then the State Board of
10 Education may pay all other approved claims on a pro rata
11 basis. Transition impact aid shall be paid beginning in the
12 1999-2000 school year for charter schools that are in the
13 first, second, or third year of their initial term.
14 Transition impact aid shall not be paid for any charter
15 school that is proposed and created by one or more boards
16 of education, as authorized under the provisions of Public
17 Act 91-405.

18 (2) From a separate appropriation made for the purpose
19 of this subdivision (2), the State Board shall make grants
20 to charter schools to pay their start-up costs of acquiring
21 educational materials and supplies, textbooks, electronic
22 textbooks and the technological equipment necessary to
23 gain access to and use electronic textbooks, furniture, and
24 other equipment or materials needed during their initial
25 term. The State Board shall annually establish the time and
26 manner of application for these grants, which shall not

1 exceed \$250 per student enrolled in the charter school.

2 (3) The Charter Schools Revolving Loan Fund is created
3 as a special fund in the State treasury. Federal funds,
4 such other funds as may be made available for costs
5 associated with the establishment of charter schools in
6 Illinois, and amounts repaid by charter schools that have
7 received a loan from the Charter Schools Revolving Loan
8 Fund shall be deposited into the Charter Schools Revolving
9 Loan Fund, and the moneys in the Charter Schools Revolving
10 Loan Fund shall be appropriated to the State Board and used
11 to provide interest-free loans to charter schools. These
12 funds shall be used to pay start-up costs of acquiring
13 educational materials and supplies, textbooks, electronic
14 textbooks and the technological equipment necessary to
15 gain access to and use electronic textbooks, furniture, and
16 other equipment or materials needed in the initial term of
17 the charter school and for acquiring and remodeling a
18 suitable physical plant, within the initial term of the
19 charter school. Loans shall be limited to one loan per
20 charter school and shall not exceed \$750 ~~\$250~~ per student
21 enrolled in the charter school. A loan shall be repaid by
22 the end of the initial term of the charter school. The
23 State Board may deduct amounts necessary to repay the loan
24 from funds due to the charter school or may require that
25 the local school board that authorized the charter school
26 deduct such amounts from funds due the charter school and

1 remit these amounts to the State Board, provided that the
2 local school board shall not be responsible for repayment
3 of the loan. The State Board may use up to 3% of the
4 appropriation to contract with a non-profit entity to
5 administer the loan program.

6 (4) A charter school may apply for and receive, subject
7 to the same restrictions applicable to school districts,
8 any grant administered by the State Board that is available
9 for school districts.

10 (Source: P.A. 98-739, eff. 7-16-14.)"