



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0209

Introduced 1/20/2009, by Rep. Esther Golar

SYNOPSIS AS INTRODUCED:

105 ILCS 5/27A-9
30 ILCS 805/8.33 new

Amends the Charter Schools Law of the School Code. In a provision allowing a charter to be revoked or not renewed, provides that if the charter school committed a material violation of any of the conditions, standards, or procedures set forth in the charter, failed to meet generally accepted standards of fiscal management, or violated any provision of law from which the charter school was not exempted, then the local school board or the State Board of Education as the chartering entity shall notify the charter school in writing of the reason why the charter is subject to revocation or nonrenewal, and the charter school shall submit a written plan to the local school board or State Board to rectify the problem and shall begin implementation of the plan within one calendar year after notification. Provides that if the charter school failed to meet or make reasonable progress toward achievement of the content standards or pupil performance standards identified in the charter, then the charter school must be held to the terms as written in the charter. Provides that if the local school board or State Board as the chartering entity finds that the charter school has not rectified the problem, then the charter must be revoked or not renewed.

LRB096 04102 NHT 14141 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 State Board, 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 State Board, as the chartering entity, clearly
3 demonstrates that the charter school did any of the following,
4 or otherwise failed to comply with the requirements of this
5 law:

6 (1) Committed a material violation of any of the
7 conditions, standards, or procedures set forth in the
8 charter, in which case the local school board or State
9 Board, as the chartering entity, shall notify the charter
10 school in writing of the reason why the charter is subject
11 to revocation or nonrenewal, and the charter school shall
12 submit a written plan to the local school board or State
13 Board, whichever is applicable, to rectify the problem and
14 begin implementation of the plan within one calendar year
15 after notification.

16 (2) Failed to meet or make reasonable progress toward
17 achievement of the content standards or pupil performance
18 standards identified in the charter, in which case the
19 charter school must be held to the terms as written in the
20 charter.

21 (3) Failed to meet generally accepted standards of
22 fiscal management, in which case the local school board or
23 State Board, as the chartering entity, shall notify the
24 charter school in writing of the reason why the charter is
25 subject to revocation or nonrenewal, and the charter school
26 shall submit a written plan to the local school board or

1 State Board, whichever is applicable, to rectify the
2 problem and begin implementation of the plan within one
3 calendar year after notification.

4 (4) Violated any provision of law from which the
5 charter school was not exempted, in which case the local
6 school board or State Board, as the chartering entity,
7 shall notify the charter school in writing of the reason
8 why the charter is subject to revocation or nonrenewal, and
9 the charter school shall submit a written plan to the local
10 school board or State Board, whichever is applicable, to
11 rectify the problem and begin implementation of the plan
12 within one calendar year after notification.

13 If the local school board or State Board, as the chartering
14 entity, finds that the charter school has not rectified the
15 problem, then the charter must be revoked or not renewed.

16 (d) (Blank).

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

1 subject to judicial review under the Administrative Review Law.

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

21 (Source: P.A. 91-96, eff. 7-9-99; 91-407, eff. 8-3-99; 92-16,
22 eff. 6-28-01.)

23 Section 90. The State Mandates Act is amended by adding
24 Section 8.33 as follows:

1 (30 ILCS 805/8.33 new)

2 Sec. 8.33. Exempt mandate. Notwithstanding Sections 6 and 8
3 of this Act, no reimbursement by the State is required for the
4 implementation of any mandate created by this amendatory Act of
5 the 96th General Assembly.