



Rep. Daniel J. Burke

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09700HB4277ham001

LRB097 15268 RPM 69206 a

1 AMENDMENT TO HOUSE BILL 4277

2 AMENDMENT NO. _____. Amend House Bill 4277 by replacing
3 everything after the enacting clause with the following:

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 the
10 school district within which the pupil resides. Each charter
11 school (i) shall determine the school district in which each
12 pupil who is enrolled in the charter school resides, (ii) shall
13 report the aggregate number of pupils resident of a school
14 district who are enrolled in the charter school to the school
15 district in which those pupils reside, and (iii) shall maintain
16 accurate records of daily attendance that shall be deemed

1 sufficient to file claims under Section 18-8 notwithstanding
2 any other requirements of that Section regarding hours of
3 instruction and teacher certification.

4 (b) Except for a charter school established by referendum
5 under Section 27A-6.5, as part of a charter school contract,
6 the charter school and the local school board shall agree on
7 funding and any services to be provided by the school district
8 to the charter school. Agreed funding that a charter school is
9 to receive from the local school board for a school year shall
10 be paid in equal quarterly installments with the payment of the
11 installment for the first quarter being made not later than
12 July 1, unless the charter establishes a different payment
13 schedule.

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

25 In no event shall the funding be less than 95% ~~75%~~ or more
26 than 100% ~~125%~~ of the school district's per capita student

1 tuition multiplied by the number of students residing in the
2 district 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 a
5 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 shall
9 be retained by the charter school.

10 (c) Notwithstanding subsection (b) of this Section, the
11 proportionate share of State and federal resources generated by
12 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 to
19 accept gifts, donations, or grants of any kind made to the
20 charter school and to expend or use gifts, donations, or grants
21 in accordance with the conditions prescribed by the donor;
22 however, a gift, donation, or grant may not be accepted by the
23 governing body if it is subject to any condition contrary to
24 applicable law or contrary to the terms of the contract between
25 the charter school and the local school board. Charter schools
26 shall be encouraged to solicit and utilize community volunteer

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

3 (e) (Blank).

4 (f) The State Board shall provide technical assistance to
5 persons and groups preparing or revising charter applications.

6 (g) At the non-renewal or revocation of its charter, each
7 charter school shall refund to the local board of education all
8 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. 90-548, eff. 1-1-98; 90-757, eff. 8-14-98;
13 91-407, eff. 8-3-99.)".