



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5588

by Rep. Frank J. Mautino

SYNOPSIS AS INTRODUCED:

See Index

Amends the School Code. Provides that waivers may not be requested from laws, rules, and regulations pertaining to educator licensure (currently, teacher certification). Provides that it is the duty of the State Board of Education to maintain a division of audits whose duty it shall be to establish a system to perform audits, on a sample basis, of all claims for state moneys relative to the public school system of Illinois. Deletes provisions regarding the comprehensive educational plan and replaces it with provisions that the State Board of Education shall annually submit a budget recommendation to the Governor and General Assembly that contains recommendations for funding for pre-school through grade 12. Repeals a Section of the Code regarding alcohol and substance abuse education programs. Makes other changes to the Code. Amends the Charter Schools Law of the School Code. Provides that in all new applications (instead of in all new applications submitted to the State Board of Education or a school board) to establish a charter school in Chicago, operation shall be limited to one campus. Makes changes concerning charter school referendums, submission of charter school proposals, appeals, the payment of funding, the provision of technical assistance, and transition impact aid. Repeals the Chicago Community Schools Study Commission Act, the Education Cost-Effectiveness Agenda Act, and the Conservation Education Act. Effective July 1, 2014.

LRB098 19778 OMW 54993 b

FISCAL NOTE ACT
MAY APPLY

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 Sections
5 2-3.25g, 2-3.32, 2-3.47, 10-22.5a, 14-7.03, 18-4.5, 18-6,
6 27A-5, 27A-6.5, 27A-7, 27A-9, 27A-11, and 27A-11.5 as follows:

7 (105 ILCS 5/2-3.25g) (from Ch. 122, par. 2-3.25g)

8 Sec. 2-3.25g. Waiver or modification of mandates within the
9 School Code and administrative rules and regulations.

10 (a) In this Section:

11 "Board" means a school board or the governing board or
12 administrative district, as the case may be, for a joint
13 agreement.

14 "Eligible applicant" means a school district, joint
15 agreement made up of school districts, or regional
16 superintendent of schools on behalf of schools and programs
17 operated by the regional office of education.

18 "Implementation date" has the meaning set forth in
19 Section 24A-2.5 of this Code.

20 "State Board" means the State Board of Education.

21 (b) Notwithstanding any other provisions of this School
22 Code or any other law of this State to the contrary, eligible
23 applicants may petition the State Board of Education for the

1 waiver or modification of the mandates of this School Code or
2 of the administrative rules and regulations promulgated by the
3 State Board of Education. Waivers or modifications of
4 administrative rules and regulations and modifications of
5 mandates of this School Code may be requested when an eligible
6 applicant demonstrates that it can address the intent of the
7 rule or mandate in a more effective, efficient, or economical
8 manner or when necessary to stimulate innovation or improve
9 student performance. Waivers of mandates of the School Code may
10 be requested when the waivers are necessary to stimulate
11 innovation or improve student performance. Waivers may not be
12 requested from laws, rules, and regulations pertaining to
13 special education, teacher educator licensure certification,
14 teacher tenure and seniority, or Section 5-2.1 of this Code or
15 from compliance with the No Child Left Behind Act of 2001
16 (Public Law 107-110). Eligible applicants may not seek a waiver
17 or seek a modification of a mandate regarding the requirements
18 for (i) student performance data to be a significant factor in
19 teacher or principal evaluations or (ii) for teachers and
20 principals to be rated using the 4 categories of "excellent",
21 "proficient", "needs improvement", or "unsatisfactory". On
22 September 1, 2014, any previously authorized waiver or
23 modification from such requirements shall terminate.

24 (c) Eligible applicants, as a matter of inherent managerial
25 policy, and any Independent Authority established under
26 Section 2-3.25f may submit an application for a waiver or

1 modification authorized under this Section. Each application
2 must include a written request by the eligible applicant or
3 Independent Authority and must demonstrate that the intent of
4 the mandate can be addressed in a more effective, efficient, or
5 economical manner or be based upon a specific plan for improved
6 student performance and school improvement. Any eligible
7 applicant requesting a waiver or modification for the reason
8 that intent of the mandate can be addressed in a more
9 economical manner shall include in the application a fiscal
10 analysis showing current expenditures on the mandate and
11 projected savings resulting from the waiver or modification.
12 Applications and plans developed by eligible applicants must be
13 approved by the board or regional superintendent of schools
14 applying on behalf of schools or programs operated by the
15 regional office of education following a public hearing on the
16 application and plan and the opportunity for the board or
17 regional superintendent to hear testimony from staff directly
18 involved in its implementation, parents, and students. The time
19 period for such testimony shall be separate from the time
20 period established by the eligible applicant for public comment
21 on other matters. If the applicant is a school district or
22 joint agreement requesting a waiver or modification of Section
23 27-6 of this Code, the public hearing shall be held on a day
24 other than the day on which a regular meeting of the board is
25 held.

26 (c-5) If the applicant is a school district, then the

1 district shall post information that sets forth the time, date,
2 place, and general subject matter of the public hearing on its
3 Internet website at least 14 days prior to the hearing. If the
4 district is requesting to increase the fee charged for driver
5 education authorized pursuant to Section 27-24.2 of this Code,
6 the website information shall include the proposed amount of
7 the fee the district will request. All school districts must
8 publish a notice of the public hearing at least 7 days prior to
9 the hearing in a newspaper of general circulation within the
10 school district that sets forth the time, date, place, and
11 general subject matter of the hearing. Districts requesting to
12 increase the fee charged for driver education shall include in
13 the published notice the proposed amount of the fee the
14 district will request. If the applicant is a joint agreement or
15 regional superintendent, then the joint agreement or regional
16 superintendent shall post information that sets forth the time,
17 date, place, and general subject matter of the public hearing
18 on its Internet website at least 14 days prior to the hearing.
19 If the joint agreement or regional superintendent is requesting
20 to increase the fee charged for driver education authorized
21 pursuant to Section 27-24.2 of this Code, the website
22 information shall include the proposed amount of the fee the
23 applicant will request. All joint agreements and regional
24 superintendents must publish a notice of the public hearing at
25 least 7 days prior to the hearing in a newspaper of general
26 circulation in each school district that is a member of the

1 joint agreement or that is served by the educational service
2 region that sets forth the time, date, place, and general
3 subject matter of the hearing, provided that a notice appearing
4 in a newspaper generally circulated in more than one school
5 district shall be deemed to fulfill this requirement with
6 respect to all of the affected districts. Joint agreements or
7 regional superintendents requesting to increase the fee
8 charged for driver education shall include in the published
9 notice the proposed amount of the fee the applicant will
10 request. The eligible applicant must notify in writing the
11 affected exclusive collective bargaining agent and those State
12 legislators representing the eligible applicant's territory of
13 its intent to seek approval of a waiver or modification and of
14 the hearing to be held to take testimony from staff. The
15 affected exclusive collective bargaining agents shall be
16 notified of such public hearing at least 7 days prior to the
17 date of the hearing and shall be allowed to attend such public
18 hearing. The eligible applicant shall attest to compliance with
19 all of the notification and procedural requirements set forth
20 in this Section.

21 (d) A request for a waiver or modification of
22 administrative rules and regulations or for a modification of
23 mandates contained in this School Code shall be submitted to
24 the State Board of Education within 15 days after approval by
25 the board or regional superintendent of schools. The
26 application as submitted to the State Board of Education shall

1 include a description of the public hearing. Except with
2 respect to contracting for adaptive driver education, an
3 eligible applicant wishing to request a modification or waiver
4 of administrative rules of the State Board of Education
5 regarding contracting with a commercial driver training school
6 to provide the course of study authorized under Section 27-24.2
7 of this Code must provide evidence with its application that
8 the commercial driver training school with which it will
9 contract holds a license issued by the Secretary of State under
10 Article IV of Chapter 6 of the Illinois Vehicle Code and that
11 each instructor employed by the commercial driver training
12 school to provide instruction to students served by the school
13 district holds a valid teaching certificate or teaching
14 license, as applicable, issued under the requirements of this
15 Code and rules of the State Board of Education. Such evidence
16 must include, but need not be limited to, a list of each
17 instructor assigned to teach students served by the school
18 district, which list shall include the instructor's name,
19 personal identification number as required by the State Board
20 of Education, birth date, and driver's license number. If the
21 modification or waiver is granted, then the eligible applicant
22 shall notify the State Board of Education of any changes in the
23 personnel providing instruction within 15 calendar days after
24 an instructor leaves the program or a new instructor is hired.
25 Such notification shall include the instructor's name,
26 personal identification number as required by the State Board

1 of Education, birth date, and driver's license number. If a
2 school district maintains an Internet website, then the
3 district shall post a copy of the final contract between the
4 district and the commercial driver training school on the
5 district's Internet website. If no Internet website exists,
6 then the district shall make available the contract upon
7 request. A record of all materials in relation to the
8 application for contracting must be maintained by the school
9 district and made available to parents and guardians upon
10 request. The instructor's date of birth and driver's license
11 number and any other personally identifying information as
12 deemed by the federal Driver's Privacy Protection Act of 1994
13 must be redacted from any public materials. Following receipt
14 of the waiver or modification request, the State Board shall
15 have 45 days to review the application and request. If the
16 State Board fails to disapprove the application within that 45
17 day period, the waiver or modification shall be deemed granted.
18 The State Board may disapprove any request if it is not based
19 upon sound educational practices, endangers the health or
20 safety of students or staff, compromises equal opportunities
21 for learning, or fails to demonstrate that the intent of the
22 rule or mandate can be addressed in a more effective,
23 efficient, or economical manner or have improved student
24 performance as a primary goal. Any request disapproved by the
25 State Board may be appealed to the General Assembly by the
26 eligible applicant as outlined in this Section.

1 A request for a waiver from mandates contained in this
2 School Code shall be submitted to the State Board within 15
3 days after approval by the board or regional superintendent of
4 schools. The application as submitted to the State Board of
5 Education shall include a description of the public hearing.
6 The description shall include, but need not be limited to, the
7 means of notice, the number of people in attendance, the number
8 of people who spoke as proponents or opponents of the waiver, a
9 brief description of their comments, and whether there were any
10 written statements submitted. The State Board shall review the
11 applications and requests for completeness and shall compile
12 the requests in reports to be filed with the General Assembly.
13 The State Board shall file reports outlining the waivers
14 requested by eligible applicants and appeals by eligible
15 applicants of requests disapproved by the State Board with the
16 Senate and the House of Representatives before each March 1 and
17 October 1. The General Assembly may disapprove the report of
18 the State Board in whole or in part within 60 calendar days
19 after each house of the General Assembly next convenes after
20 the report is filed by adoption of a resolution by a record
21 vote of the majority of members elected in each house. If the
22 General Assembly fails to disapprove any waiver request or
23 appealed request within such 60 day period, the waiver or
24 modification shall be deemed granted. Any resolution adopted by
25 the General Assembly disapproving a report of the State Board
26 in whole or in part shall be binding on the State Board.

1 (e) An approved waiver or modification (except a waiver
2 from or modification to a physical education mandate) may
3 remain in effect for a period not to exceed 5 school years and
4 may be renewed upon application by the eligible applicant.
5 However, such waiver or modification may be changed within that
6 5-year period by a board or regional superintendent of schools
7 applying on behalf of schools or programs operated by the
8 regional office of education following the procedure as set
9 forth in this Section for the initial waiver or modification
10 request. If neither the State Board of Education nor the
11 General Assembly disapproves, the change is deemed granted.

12 An approved waiver from or modification to a physical
13 education mandate may remain in effect for a period not to
14 exceed 2 school years and may be renewed no more than 2 times
15 upon application by the eligible applicant. An approved waiver
16 from or modification to a physical education mandate may be
17 changed within the 2-year period by the board or regional
18 superintendent of schools, whichever is applicable, following
19 the procedure set forth in this Section for the initial waiver
20 or modification request. If neither the State Board of
21 Education nor the General Assembly disapproves, the change is
22 deemed granted.

23 (f) (Blank).

24 (Source: P.A. 97-1025, eff. 1-1-13; 98-513, eff. 1-1-14.)

25 (105 ILCS 5/2-3.32) (from Ch. 122, par. 2-3.32)

1 Sec. 2-3.32. Auditing department. To maintain a division of
2 audits ~~to consist of one qualified supervisor and junior~~
3 ~~accountants who are to be competent persons~~ whose duty it shall
4 be to establish a system to perform audits, on a sample basis,
5 of audit all claims for state moneys relative to the public
6 school system of Illinois.

7 (Source: Laws 1965, p. 1985.)

8 (105 ILCS 5/2-3.47) (from Ch. 122, par. 2-3.47)

9 Sec. 2-3.47. The State Board of Education shall annually
10 submit a budget recommendation to the Governor and General
11 Assembly that contains recommendations for funding for
12 pre-school through grade 12. Comprehensive Educational Plan.
13 ~~The State Board of Education shall analyze the current and~~
14 ~~anticipated problems and deficiencies, present and future~~
15 ~~minimum needs and requirements and immediate and future~~
16 ~~objectives and goals of elementary and secondary education in~~
17 ~~the State of Illinois, and shall design and prepare a~~
18 ~~Comprehensive Educational Plan for the development, expansion,~~
19 ~~integration, coordination, and improved and efficient~~
20 ~~utilization of the personnel, facilities, revenues, curricula~~
21 ~~and standards of elementary and secondary education for the~~
22 ~~public schools in the areas of teaching (including preparation,~~
23 ~~certification, compensation, classification, performance~~
24 ~~rating and tenure), administration, program content and~~
25 ~~enrichment, student academic achievement, class size,~~

1 ~~transportation, educational finance and budgetary and~~
2 ~~accounting procedure, and educational policy and resource~~
3 ~~planning. In formulating the Comprehensive Educational Plan~~
4 ~~for elementary and secondary education, pre school through~~
5 ~~grade 12, in this State, the State Board of Education shall~~
6 ~~give consideration to disabled, occupational, career and other~~
7 ~~specialized areas of elementary and secondary education, and~~
8 ~~further shall consider the problems, requirements and~~
9 ~~objectives of private elementary and secondary schools within~~
10 ~~the State as the same relate to the present and future~~
11 ~~problems, deficiencies, needs, requirements, objectives and~~
12 ~~goals of the public school system of Illinois. As an integral~~
13 ~~part of the Comprehensive Educational Plan, the State Board of~~
14 ~~Education shall develop an annual budget for education for the~~
15 ~~entire State which details the required, total revenues from~~
16 ~~all sources and the estimated total expenditures for all~~
17 ~~purposes under the Comprehensive Educational Plan. The budgets~~
18 ~~shall specify the amount of revenue projected from each source~~
19 ~~and the amount of expenditure estimated for each purpose for~~
20 ~~the fiscal year, and shall specifically relate and identify~~
21 ~~such projected revenues and estimated expenditures to the~~
22 ~~particular problem, deficiency, need, requirement, objective~~
23 ~~or goal set forth in the Comprehensive Educational Plan to~~
24 ~~which such revenues for expenditures are attributable. The~~
25 ~~State Board of Education shall prepare and submit to the~~
26 ~~General Assembly and the Governor drafts of proposed~~

1 ~~legislation to implement the Comprehensive Educational Plan;~~
2 ~~shall engage in a continuing study, analysis and evaluation of~~
3 ~~the Comprehensive Educational Plan so designed and prepared;~~
4 ~~and shall from time to time as required with respect to such~~
5 ~~annual budgets, and as the State Board of Education shall~~
6 ~~determine with respect to any proposed amendments or~~
7 ~~modifications of any Comprehensive Educational Plan enacted by~~
8 ~~the General Assembly, submit its drafts or recommendations for~~
9 ~~proposed legislation to the General Assembly and the Governor.~~

10 (Source: P.A. 93-21, eff. 7-1-03.)

11 (105 ILCS 5/10-22.5a) (from Ch. 122, par. 10-22.5a)

12 Sec. 10-22.5a. Attendance by dependents of United States
13 military personnel, foreign exchange students, and certain
14 nonresident pupils.

15 (a) To enter into written agreements with cultural exchange
16 organizations, or with nationally recognized eleemosynary
17 institutions that promote excellence in the arts, mathematics,
18 or science. The written agreements may provide for tuition free
19 attendance at the local district school by foreign exchange
20 students, or by nonresident pupils of eleemosynary
21 institutions. The local board of education, as part of the
22 agreement, may require that the cultural exchange program or
23 the eleemosynary institutions provide services to the district
24 in exchange for the waiver of nonresident tuition.

25 To enter into written agreements with adjacent school

1 districts to provide for tuition free attendance by a student
2 of the adjacent district when requested for the student's
3 health and safety by the student or parent and both districts
4 determine that the student's health or safety will be served by
5 such attendance. Districts shall not be required to enter into
6 such agreements nor be required to alter existing
7 transportation services due to the attendance of such
8 non-resident pupils.

9 (a-5) If, at the time of enrollment, a dependent of United
10 States military personnel is housed in temporary housing
11 located outside of a school district, but will be living within
12 the district within 60 days after the time of initial
13 enrollment, the dependent must be allowed to enroll, subject to
14 the requirements of this subsection (a-5), and must not be
15 charged tuition. Any United States military personnel
16 attempting to enroll a dependent under this subsection (a-5)
17 shall provide proof that the dependent will be living within
18 the district within 60 days after the time of initial
19 enrollment. Proof of residency may include, but is not limited
20 to, postmarked mail addressed to the military personnel and
21 sent to an address located within the district, a lease
22 agreement for occupancy of a residence located within the
23 district, or proof of ownership of a residence located within
24 the district.

25 (b) Nonresident pupils and foreign exchange students
26 attending school on a tuition free basis under such agreements

1 and nonresident dependents of United States military personnel
2 attending school on a tuition free basis may be counted for the
3 purposes of determining the apportionment of State aid provided
4 under Section 18-8.05 of this Code, ~~provided that any cultural~~
5 ~~exchange organization or eleemosynary institutions wishing to~~
6 ~~participate in an agreement authorized under this Section must~~
7 ~~be approved in writing by the State Board of Education. The~~
8 ~~State Board of Education may establish reasonable rules to~~
9 ~~determine the eligibility of cultural exchange organizations~~
10 ~~or eleemosynary institutions wishing to participate in~~
11 ~~agreements authorized under this Section.~~ No organization or
12 institution participating in agreements authorized under this
13 Section may exclude any individual for participation in its
14 program on account of the person's race, color, sex, religion
15 or nationality.

16 (Source: P.A. 93-740, eff. 7-15-04.)

17 (105 ILCS 5/14-7.03) (from Ch. 122, par. 14-7.03)

18 Sec. 14-7.03. Special Education Classes for Children from
19 Orphanages, Foster Family Homes, Children's Homes, or in State
20 Housing Units. If a school district maintains special education
21 classes on the site of orphanages and children's homes, or if
22 children from the orphanages, children's homes, foster family
23 homes, other State agencies, or State residential units for
24 children attend classes for children with disabilities in which
25 the school district is a participating member of a joint

1 agreement, or if the children from the orphanages, children's
2 homes, foster family homes, other State agencies, or State
3 residential units attend classes for the children with
4 disabilities maintained by the school district, then
5 reimbursement shall be paid to eligible districts in accordance
6 with the provisions of this Section by the Comptroller as
7 directed by the State Superintendent of Education.

8 The amount of tuition for such children shall be determined
9 by the actual cost of maintaining such classes, using the per
10 capita cost formula set forth in Section 14-7.01, such program
11 and cost to be pre-approved by the State Superintendent of
12 Education.

13 ~~On forms prepared by the State Superintendent of Education,~~
14 ~~the district shall certify to the regional superintendent the~~
15 ~~following:~~

16 ~~(1) The name of the home or State residential unit with~~
17 ~~the name of the owner or proprietor and address of those~~
18 ~~maintaining it;~~

19 ~~(2) That no service charges or other payments~~
20 ~~authorized by law were collected in lieu of taxes therefrom~~
21 ~~or on account thereof during either of the calendar years~~
22 ~~included in the school year for which claim is being made;~~

23 ~~(3) The number of children qualifying under this Act in~~
24 ~~special education classes for instruction on the site of~~
25 ~~the orphanages and children's homes;~~

26 ~~(4) The number of children attending special education~~

1 ~~classes for children with disabilities in which the~~
2 ~~district is a participating member of a special education~~
3 ~~joint agreement;~~

4 ~~(5) The number of children attending special education~~
5 ~~classes for children with disabilities maintained by the~~
6 ~~district;~~

7 ~~(6) The computed amount of tuition payment claimed as~~
8 ~~due, as approved by the State Superintendent of Education,~~
9 ~~for maintaining these classes.~~

10 If a school district makes a claim for reimbursement under
11 Section 18-3 or 18-4 of this Act it shall not include in any
12 claim filed under this Section a claim for such children.
13 Payments authorized by law, including State or federal grants
14 for education of children included in this Section, shall be
15 deducted in determining the tuition amount.

16 Nothing in this Act shall be construed so as to prohibit
17 reimbursement for the tuition of children placed in for profit
18 facilities. Private facilities shall provide adequate space at
19 the facility for special education classes provided by a school
20 district or joint agreement for children with disabilities who
21 are residents of the facility at no cost to the school district
22 or joint agreement upon request of the school district or joint
23 agreement. If such a private facility provides space at no cost
24 to the district or joint agreement for special education
25 classes provided to children with disabilities who are
26 residents of the facility, the district or joint agreement

1 shall not include any costs for the use of those facilities in
2 its claim for reimbursement.

3 Reimbursement for tuition may include the cost of providing
4 summer school programs for children with severe and profound
5 disabilities served under this Section. Claims for that
6 reimbursement shall be filed by November 1 and shall be paid on
7 or before December 15 from appropriations made for the purposes
8 of this Section.

9 The State Board of Education shall establish such rules and
10 regulations as may be necessary to implement the provisions of
11 this Section.

12 Claims filed on behalf of programs operated under this
13 Section housed in a jail, detention center, or county-owned
14 shelter care facility shall be on an individual student basis
15 only for eligible students with disabilities. These claims
16 shall be in accordance with applicable rules.

17 Each district claiming reimbursement for a program
18 operated as a group program shall have an approved budget on
19 file with the State Board of Education prior to the initiation
20 of the program's operation. On September 30, December 31, and
21 March 31, the State Board of Education shall voucher payments
22 to group programs based upon the approved budget during the
23 year of operation. Final claims for group payments shall be
24 filed on or before July 15. Final claims for group programs
25 received at the State Board of Education on or before June 15
26 shall be vouchered by June 30. Final claims received at the

1 State Board of Education between June 16 and July 15 shall be
2 vouchered by August 30. Claims for group programs received
3 after July 15 shall not be honored.

4 Each district claiming reimbursement for individual
5 students shall have the eligibility of those students verified
6 by the State Board of Education. On September 30, December 31,
7 and March 31, the State Board of Education shall voucher
8 payments for individual students based upon an estimated cost
9 calculated from the prior year's claim. Final claims for
10 individual students for the regular school term must be
11 received at the State Board of Education by July 15. Claims for
12 individual students received after July 15 shall not be
13 honored. Final claims for individual students shall be
14 vouchered by August 30.

15 Reimbursement shall be made based upon approved group
16 programs or individual students. The State Superintendent of
17 Education shall direct the Comptroller to pay a specified
18 amount to the district by the 30th day of September, December,
19 March, June, or August, respectively. However, notwithstanding
20 any other provisions of this Section or the School Code,
21 beginning with fiscal year 1994 and each fiscal year
22 thereafter, if the amount appropriated for any fiscal year is
23 less than the amount required for purposes of this Section, the
24 amount required to eliminate any insufficient reimbursement
25 for each district claim under this Section shall be reimbursed
26 on August 30 of the next fiscal year. Payments required to

1 eliminate any insufficiency for prior fiscal year claims shall
2 be made before any claims are paid for the current fiscal year.

3 The claim of a school district otherwise eligible to be
4 reimbursed in accordance with Section 14-12.01 for the 1976-77
5 school year but for this amendatory Act of 1977 shall not be
6 paid unless the district ceases to maintain such classes for
7 one entire school year.

8 If a school district's current reimbursement payment for
9 the 1977-78 school year only is less than the prior year's
10 reimbursement payment owed, the district shall be paid the
11 amount of the difference between the payments in addition to
12 the current reimbursement payment, and the amount so paid shall
13 be subtracted from the amount of prior year's reimbursement
14 payment owed to the district.

15 Regional superintendents may operate special education
16 classes for children from orphanages, foster family homes,
17 children's homes or State housing units located within the
18 educational services region upon consent of the school board
19 otherwise so obligated. In electing to assume the powers and
20 duties of a school district in providing and maintaining such a
21 special education program, the regional superintendent may
22 enter into joint agreements with other districts and may
23 contract with public or private schools or the orphanage,
24 foster family home, children's home or State housing unit for
25 provision of the special education program. The regional
26 superintendent exercising the powers granted under this

1 Section shall claim the reimbursement authorized by this
2 Section directly from the State Board of Education.

3 Any child who is not a resident of Illinois who is placed
4 in a child welfare institution, private facility, foster family
5 home, State operated program, orphanage or children's home
6 shall have the payment for his educational tuition and any
7 related services assured by the placing agent.

8 For each disabled student who is placed in a residential
9 facility by an Illinois public agency or by any court in this
10 State, the costs for educating the student are eligible for
11 reimbursement under this Section.

12 The district of residence of the disabled student as
13 defined in Section 14-1.11a is responsible for the actual costs
14 of the student's special education program and is eligible for
15 reimbursement under this Section when placement is made by a
16 State agency or the courts.

17 When a dispute arises over the determination of the
18 district of residence under this Section, the district or
19 districts may appeal the decision in writing to the State
20 Superintendent of Education, who, upon review of materials
21 submitted and any other items or information he or she may
22 request for submission, shall issue a written decision on the
23 matter. The decision of the State Superintendent of Education
24 shall be final.

25 In the event a district does not make a tuition payment to
26 another district that is providing the special education

1 program and services, the State Board of Education shall
2 immediately withhold 125% of the then remaining annual tuition
3 cost from the State aid or categorical aid payment due to the
4 school district that is determined to be the resident school
5 district. All funds withheld by the State Board of Education
6 shall immediately be forwarded to the school district where the
7 student is being served.

8 When a child eligible for services under this Section
9 14-7.03 must be placed in a nonpublic facility, that facility
10 shall meet the programmatic requirements of Section 14-7.02 and
11 its regulations, and the educational services shall be funded
12 only in accordance with this Section 14-7.03.

13 (Source: P.A. 95-313, eff. 8-20-07; 95-844, eff. 8-15-08.)

14 (105 ILCS 5/18-4.5)

15 Sec. 18-4.5. Home Hospital Grants. Except for those
16 children qualifying under Article 14, school districts shall be
17 eligible to receive reimbursement for all children requiring
18 home or hospital instruction at not more than \$1,000 annually
19 per child or \$9,000 ~~\$8,000~~ per teacher, whichever is less.

20 (Source: P.A. 88-386.)

21 (105 ILCS 5/18-6) (from Ch. 122, par. 18-6)

22 Sec. 18-6. Supervisory expenses. The State Board of
23 Education shall annually request an appropriation ~~from the~~
24 ~~common school fund~~ for regional office of education expenses,

1 aggregating \$1,000 per county per year for each educational
2 service region. The State Board of Education shall present
3 vouchers to the Comptroller as soon as may be after the first
4 day of August each year for each regional office of education.
5 Each regional office of education may draw upon these funds
6 ~~this fund~~ for the expenses necessarily incurred in providing
7 for supervisory services in the region.

8 (Source: P.A. 88-9; 89-397, eff. 8-20-95.)

9 (105 ILCS 5/27A-5)

10 Sec. 27A-5. Charter school; legal entity; requirements.

11 (a) A charter school shall be a public, nonsectarian,
12 nonreligious, non-home based, and non-profit school. A charter
13 school shall be organized and operated as a nonprofit
14 corporation or other discrete, legal, nonprofit entity
15 authorized under the laws of the State of Illinois.

16 (b) A charter school may be established under this Article
17 by creating a new school or by converting an existing public
18 school or attendance center to charter school status. Beginning
19 on the effective date of this amendatory Act of the 93rd
20 General Assembly, in all new applications ~~submitted to the~~
21 ~~State Board or a local school board~~ to establish a charter
22 school in a city having a population exceeding 500,000,
23 operation of the charter school shall be limited to one campus.
24 The changes made to this Section by this amendatory Act of the
25 93rd General Assembly do not apply to charter schools existing

1 or approved on or before the effective date of this amendatory
2 Act.

3 (b-5) In this subsection (b-5), "virtual-schooling" means
4 the teaching of courses through online methods with online
5 instructors, rather than the instructor and student being at
6 the same physical location. "Virtual-schooling" includes
7 without limitation instruction provided by full-time, online
8 virtual schools.

9 From April 1, 2013 through April 1, 2014, there is a
10 moratorium on the establishment of charter schools with
11 virtual-schooling components in school districts other than a
12 school district organized under Article 34 of this Code. This
13 moratorium does not apply to a charter school with
14 virtual-schooling components existing or approved prior to
15 April 1, 2013 or to the renewal of the charter of a charter
16 school with virtual-schooling components already approved
17 prior to April 1, 2013.

18 On or before March 1, 2014, the Commission shall submit to
19 the General Assembly a report on the effect of
20 virtual-schooling, including without limitation the effect on
21 student performance, the costs associated with
22 virtual-schooling, and issues with oversight. The report shall
23 include policy recommendations for virtual-schooling.

24 (c) A charter school shall be administered and governed by
25 its board of directors or other governing body in the manner
26 provided in its charter. The governing body of a charter school

1 shall be subject to the Freedom of Information Act and the Open
2 Meetings Act.

3 (d) A charter school shall comply with all applicable
4 health and safety requirements applicable to public schools
5 under the laws of the State of Illinois.

6 (e) Except as otherwise provided in the School Code, a
7 charter school shall not charge tuition; provided that a
8 charter school may charge reasonable fees for textbooks,
9 instructional materials, and student activities.

10 (f) A charter school shall be responsible for the
11 management and operation of its fiscal affairs including, but
12 not limited to, the preparation of its budget. An audit of each
13 charter school's finances shall be conducted annually by an
14 outside, independent contractor retained by the charter
15 school. Annually, by December 1, every charter school must
16 submit to the State Board a copy of its audit and a copy of the
17 Form 990 the charter school filed that year with the federal
18 Internal Revenue Service.

19 (g) A charter school shall comply with all provisions of
20 this Article, the Illinois Educational Labor Relations Act, and
21 its charter. A charter school is exempt from all other State
22 laws and regulations in the School Code governing public
23 schools and local school board policies, except the following:

24 (1) Sections 10-21.9 and 34-18.5 of the School Code
25 regarding criminal history records checks and checks of the
26 Statewide Sex Offender Database and Statewide Murderer and

1 Violent Offender Against Youth Database of applicants for
2 employment;

3 (2) Sections 24-24 and 34-84A of the School Code
4 regarding discipline of students;

5 (3) The Local Governmental and Governmental Employees
6 Tort Immunity Act;

7 (4) Section 108.75 of the General Not For Profit
8 Corporation Act of 1986 regarding indemnification of
9 officers, directors, employees, and agents;

10 (5) The Abused and Neglected Child Reporting Act;

11 (6) The Illinois School Student Records Act;

12 (7) Section 10-17a of the School Code regarding school
13 report cards; and

14 (8) The P-20 Longitudinal Education Data System Act.

15 The change made by Public Act 96-104 to this subsection (g)
16 is declaratory of existing law.

17 (h) A charter school may negotiate and contract with a
18 school district, the governing body of a State college or
19 university or public community college, or any other public or
20 for-profit or nonprofit private entity for: (i) the use of a
21 school building and grounds or any other real property or
22 facilities that the charter school desires to use or convert
23 for use as a charter school site, (ii) the operation and
24 maintenance thereof, and (iii) the provision of any service,
25 activity, or undertaking that the charter school is required to
26 perform in order to carry out the terms of its charter.

1 However, a charter school that is established on or after the
2 effective date of this amendatory Act of the 93rd General
3 Assembly and that operates in a city having a population
4 exceeding 500,000 may not contract with a for-profit entity to
5 manage or operate the school during the period that commences
6 on the effective date of this amendatory Act of the 93rd
7 General Assembly and concludes at the end of the 2004-2005
8 school year. Except as provided in subsection (i) of this
9 Section, a school district may charge a charter school
10 reasonable rent for the use of the district's buildings,
11 grounds, and facilities. Any services for which a charter
12 school contracts with a school district shall be provided by
13 the district at cost. Any services for which a charter school
14 contracts with a local school board or with the governing body
15 of a State college or university or public community college
16 shall be provided by the public entity at cost.

17 (i) In no event shall a charter school that is established
18 by converting an existing school or attendance center to
19 charter school status be required to pay rent for space that is
20 deemed available, as negotiated and provided in the charter
21 agreement, in school district facilities. However, all other
22 costs for the operation and maintenance of school district
23 facilities that are used by the charter school shall be subject
24 to negotiation between the charter school and the local school
25 board and shall be set forth in the charter.

26 (j) A charter school may limit student enrollment by age or

1 grade level.

2 (k) If the charter school is approved by the Commission,
3 then the Commission charter school is its own local education
4 agency.

5 (Source: P.A. 97-152, eff. 7-20-11; 97-154, eff. 1-1-12;
6 97-813, eff. 7-13-12; 98-16, eff. 5-24-13.)

7 (105 ILCS 5/27A-6.5)

8 Sec. 27A-6.5. Charter school referendum.

9 (a) No charter shall go into effect ~~be approved~~ under this
10 Section that would convert any existing private, parochial, or
11 non-public school to a charter school or whose proposal has not
12 been certified by the State Board.

13 (b) A local school board shall, whenever petitioned to do
14 so by 5% or more of the voters of a school district or
15 districts identified in a charter school proposal, order
16 submitted to the voters thereof at a regularly scheduled
17 election the question of whether a new charter school shall be
18 established, which proposal has been found ~~certified~~ by the
19 Commission ~~State Board~~ to be in compliance with the provisions
20 of this Article, and the secretary shall certify the
21 proposition to the proper election authorities for submission
22 in accordance with the general election law. The proposition
23 shall be in substantially the following form:

24 "FOR the establishment of (name of proposed charter
25 school) under charter school proposal (charter school

1 proposal number).

2 AGAINST the establishment of (name of proposed charter
3 school) under charter school proposal (charter school
4 proposal number)".

5 (c) Before circulating a petition to submit the question of
6 whether to establish a charter school to the voters under
7 subsection (b) of this Section, the governing body of a
8 proposed charter school that desires to establish a new charter
9 school by referendum shall submit the charter school proposal
10 to the Commission ~~State Board~~ in the form of a proposed
11 contract to be entered into between the Commission ~~State Board~~
12 and the governing body of the proposed charter school, ~~as~~
13 ~~provided under Section 27A-6,~~ together with written notice of
14 the intent to have a new charter school established by
15 referendum. The contract shall comply with the provisions of
16 this Article.

17 If the Commission ~~State Board~~ finds that the proposed
18 contract complies with the provisions of this Article, it shall
19 immediately ~~certify that the proposed contract complies with~~
20 ~~the provisions of this Article and~~ direct the local school
21 board to notify the proper election authorities that the
22 question of whether to establish a new charter school shall be
23 submitted for referendum.

24 (d) If the Commission ~~State Board~~ finds that the proposal
25 fails to comply with the provisions of this Article, it shall
26 ~~refuse to certify the proposal and~~ provide written explanation,

1 detailing its reasons for refusal, to the local school board
2 and to the individuals or organizations submitting the
3 proposal. The Commission ~~State Board~~ shall also notify the
4 local school board and the individuals or organizations
5 submitting the proposal that the proposal may be amended and
6 resubmitted under the same provisions required for an original
7 submission.

8 (e) If a majority of the votes cast upon the proposition in
9 each school district designated in the charter school proposal
10 is in favor of establishing a charter school, the local school
11 board shall notify the State Board and the Commission of the
12 passage of the proposition in favor of establishing a charter
13 school and the Commission ~~State Board~~ shall approve the charter
14 within 7 days after the State Board of Elections has certified
15 that a majority of the votes cast upon the proposition is in
16 favor of establishing a charter school. The Commission ~~State~~
17 ~~Board~~ shall be the chartering entity for charter schools
18 established by referendum under this Section.

19 (f) The State Board shall determine whether the charter
20 proposal approved by the Commission is consistent with the
21 provisions of this Article and, if the approved proposal
22 complies, certify the proposal pursuant to this Article.

23 (Source: P.A. 91-407, eff. 8-3-99.)

24 (105 ILCS 5/27A-7)

25 Sec. 27A-7. Charter submission.

1 (a) A proposal to establish a charter school shall be
2 submitted to ~~the State Board and~~ the local school board and the
3 State Board for certification under Section 27A-6 of this Code
4 in the form of a proposed contract entered into between the
5 local school board and the governing body of a proposed charter
6 school. The charter school proposal ~~as submitted to the State~~
7 ~~Board~~ shall include:

8 (1) The name of the proposed charter school, which must
9 include the words "Charter School".

10 (2) The age or grade range, areas of focus, minimum and
11 maximum numbers of pupils to be enrolled in the charter
12 school, and any other admission criteria that would be
13 legal if used by a school district.

14 (3) A description of and address for the physical plant
15 in which the charter school will be located; provided that
16 nothing in the Article shall be deemed to justify delaying
17 or withholding favorable action on or approval of a charter
18 school proposal because the building or buildings in which
19 the charter school is to be located have not been acquired
20 or rented at the time a charter school proposal is
21 submitted or approved or a charter school contract is
22 entered into or submitted for certification or certified,
23 so long as the proposal or submission identifies and names
24 at least 2 sites that are potentially available as a
25 charter school facility by the time the charter school is
26 to open.

1 (4) The mission statement of the charter school, which
2 must be consistent with the General Assembly's declared
3 purposes; provided that nothing in this Article shall be
4 construed to require that, in order to receive favorable
5 consideration and approval, a charter school proposal
6 demonstrate unequivocally that the charter school will be
7 able to meet each of those declared purposes, it being the
8 intention of the Charter Schools Law that those purposes be
9 recognized as goals that charter schools must aspire to
10 attain.

11 (5) The goals, objectives, and pupil performance
12 standards to be achieved by the charter school.

13 (6) In the case of a proposal to establish a charter
14 school by converting an existing public school or
15 attendance center to charter school status, evidence that
16 the proposed formation of the charter school has received
17 the approval of certified teachers, parents and guardians,
18 and, if applicable, a local school council as provided in
19 subsection (b) of Section 27A-8.

20 (7) A description of the charter school's educational
21 program, pupil performance standards, curriculum, school
22 year, school days, and hours of operation.

23 (8) A description of the charter school's plan for
24 evaluating pupil performance, the types of assessments
25 that will be used to measure pupil progress towards
26 achievement of the school's pupil performance standards,

1 the timeline for achievement of those standards, and the
2 procedures for taking corrective action in the event that
3 pupil performance at the charter school falls below those
4 standards.

5 (9) Evidence that the terms of the charter as proposed
6 are economically sound for both the charter school and the
7 school district, a proposed budget for the term of the
8 charter, a description of the manner in which an annual
9 audit of the financial and administrative operations of the
10 charter school, including any services provided by the
11 school district, are to be conducted, and a plan for the
12 displacement of pupils, teachers, and other employees who
13 will not attend or be employed in the charter school.

14 (10) A description of the governance and operation of
15 the charter school, including the nature and extent of
16 parental, professional educator, and community involvement
17 in the governance and operation of the charter school.

18 (11) An explanation of the relationship that will exist
19 between the charter school and its employees, including
20 evidence that the terms and conditions of employment have
21 been addressed with affected employees and their
22 recognized representative, if any. However, a bargaining
23 unit of charter school employees shall be separate and
24 distinct from any bargaining units formed from employees of
25 a school district in which the charter school is located.

26 (12) An agreement between the parties regarding their

1 respective legal liability and applicable insurance
2 coverage.

3 (13) A description of how the charter school plans to
4 meet the transportation needs of its pupils, and a plan for
5 addressing the transportation needs of low-income and
6 at-risk pupils.

7 (14) The proposed effective date and term of the
8 charter; provided that the first day of the first academic
9 year and the first day of the fiscal year shall be no
10 earlier than August 15 and no later than September 15 of a
11 calendar year.

12 (15) Any other information reasonably required by the
13 State Board of Education.

14 (b) A proposal to establish a charter school may be
15 initiated by individuals or organizations that will have
16 majority representation on the board of directors or other
17 governing body of the corporation or other discrete legal
18 entity that is to be established to operate the proposed
19 charter school, by a board of education or an intergovernmental
20 agreement between or among boards of education, or by the board
21 of directors or other governing body of a discrete legal entity
22 already existing or established to operate the proposed charter
23 school. The individuals or organizations referred to in this
24 subsection may be school teachers, school administrators,
25 local school councils, colleges or universities or their
26 faculty members, public community colleges or their

1 instructors or other representatives, corporations, or other
2 entities or their representatives. The proposal shall be
3 submitted to the local school board for consideration and, if
4 appropriate, for development of a proposed contract to be
5 submitted to the State Board for certification under Section
6 27A-6.

7 (c) The local school board may not without the consent of
8 the governing body of the charter school condition its approval
9 of a charter school proposal on acceptance of an agreement to
10 operate under State laws and regulations and local school board
11 policies from which the charter school is otherwise exempted
12 under this Article.

13 (Source: P.A. 90-548, eff. 1-1-98; 91-405, eff. 8-3-99.)

14 (105 ILCS 5/27A-9)

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

16 (a) A charter may be granted for a period not less than 5
17 and not more than 10 school years. A charter may be renewed in
18 incremental periods not to exceed 5 school years.

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

22 (1) A report on the progress of the charter school in
23 achieving the goals, objectives, pupil performance
24 standards, content standards, and other terms of the
25 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 ~~State Board~~ may
22 condition the granting of an appeal on the acceptance by the
23 charter school of funding in an amount less than that requested
24 in the proposal submitted to the local school board. Final
25 decisions of the Commission shall be subject to judicial review
26 under the 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 ~~Commission~~ to the charter school
15 enrolling such students. The Commission shall require the
16 charter school to maintain accurate records of daily attendance
17 that shall be deemed sufficient to file claims under Section
18 18-8.05 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. 96-105, eff. 7-30-09; 97-152, eff. 7-20-11.)

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

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
24 to the charter school. Agreed funding that a charter school is
25 to receive from the local school board for a school year shall

1 be paid in equal quarterly installments with the payment of the
2 installment for the first quarter being made not later than
3 July 1, unless the charter establishes a different payment
4 schedule.

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

16 In no event shall the funding be less than 75% or more than
17 125% of the school district's per capita student tuition
18 multiplied by the number of students residing in the district
19 who are enrolled in the charter school.

20 It is the intent of the General Assembly that funding and
21 service agreements under this subsection (b) shall be neither a
22 financial incentive nor a financial disincentive to the
23 establishment of a charter school.

24 The charter school may set and collect reasonable fees.
25 Fees collected from students enrolled at a charter school shall
26 be retained by the charter school.

1 (c) Notwithstanding subsection (b) of this Section, the
2 proportionate share of State and federal resources generated by
3 students with disabilities or staff serving them shall be
4 directed to charter schools enrolling those students by their
5 school districts or administrative units. The proportionate
6 share of moneys generated under other federal or State
7 categorical aid programs shall be directed to charter schools
8 serving students eligible for that aid.

9 (d) The governing body of a charter school is authorized to
10 accept gifts, donations, or grants of any kind made to the
11 charter school and to expend or use gifts, donations, or grants
12 in accordance with the conditions prescribed by the donor;
13 however, a gift, donation, or grant may not be accepted by the
14 governing body if it is subject to any condition contrary to
15 applicable law or contrary to the terms of the contract between
16 the charter school and the local school board. Charter schools
17 shall be encouraged to solicit and utilize community volunteer
18 speakers and other instructional resources when providing
19 instruction on the Holocaust and other historical events.

20 (e) (Blank).

21 (f) The Commission ~~State Board~~ shall provide technical
22 assistance to persons and groups preparing or revising charter
23 applications.

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

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

4 (Source: P.A. 90-548, eff. 1-1-98; 90-757, eff. 8-14-98;
5 91-407, eff. 8-3-99.)

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 ~~State Board~~. The
16 amount of the aid shall equal 90% of the per capita funding
17 paid to the charter school during the first year of its
18 initial charter term, 65% of the per capita funding paid to
19 the charter school during the second year of its initial
20 term, 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 needed during their initial term. The State
25 Board shall annually establish the time and manner of
26 application for these grants, which shall not exceed \$250

1 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 needed in the initial term of the charter
17 school and for acquiring and remodeling a suitable physical
18 plant, within the initial term of the charter school. Loans
19 shall be limited to one loan per charter school and shall
20 not exceed \$250 per student enrolled in the charter school.
21 A loan shall be repaid by the end of the initial term of
22 the charter school. The State Board may deduct amounts
23 necessary to repay the loan from funds due to the charter
24 school or may require that the local school board that
25 authorized the charter school deduct such amounts from
26 funds due the charter school and remit these amounts to the

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

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

9 (Source: P.A. 96-1403, eff. 7-29-10.)

10 Section 10. The Vocational Education Act is amended by
11 changing Section 2.1 as follows:

12 (105 ILCS 435/2.1) (from Ch. 122, par. 697.1)

13 Sec. 2.1. Gender Equity Advisory Committee.

14 (a) The Superintendent of the State Board of Education
15 shall appoint a Gender Equity Advisory Committee of at least 9
16 members to advise and consult with the State Board of Education
17 and the gender equity coordinator in all aspects relating to
18 ensuring that all students have equal educational
19 opportunities to pursue high wage, high skill occupations
20 leading to economic self-sufficiency.

21 (b) Membership shall include without limitation one
22 regional gender equity coordinator, 2 State Board of Education
23 employees, an appointee of the Director of Labor ~~the Department~~
24 ~~of Labor's Displaced Homemaker Program Manager~~, and 5 citizen

1 appointees who have expertise in one or more of the following
2 areas: nontraditional training and placement, service delivery
3 to single parents, service delivery to displaced homemakers,
4 service delivery to female teens, business and industry
5 experience, and Education-to-Careers experience. Membership
6 also may include employees from the Department of Commerce and
7 Economic Opportunity, the Department of Human Services, and the
8 Illinois Community College Board who have expertise in one or
9 more of the areas listed in this subsection (b) for the citizen
10 appointees. Appointments shall be made taking into
11 consideration expertise of services provided in secondary,
12 postsecondary and community based programs.

13 (c) Members shall initially be appointed to one year terms
14 commencing in January 1, 1990, and thereafter to two year terms
15 commencing on January 1 of each odd numbered year. Vacancies
16 shall be filled as prescribed in subsection (b) for the
17 remainder of the unexpired term.

18 (d) Each newly appointed committee shall elect a Chair and
19 Secretary from its members. Members shall serve without
20 compensation, but shall be reimbursed for expenses incurred in
21 the performance of their duties. The Committee shall meet at
22 least bi-annually and at other times at the call of the Chair
23 or at the request of the gender equity coordinator.

24 (Source: P.A. 94-793, eff. 5-19-06.)

25 (105 ILCS 5/2-3.70 rep.)

1 (105 ILCS 5/18-8.1 rep.)

2 Section 15. The School Code is amended by repealing
3 Sections 2-3.70 and 18-8.1.

4 (105 ILCS 215/Act rep.)

5 Section 20. The Chicago Community Schools Study Commission
6 Act is repealed.

7 (105 ILCS 225/Act rep.)

8 Section 25. The Education Cost-Effectiveness Agenda Act is
9 repealed.

10 (105 ILCS 415/Act rep.)

11 Section 30. The Conservation Education Act is repealed.

12 Section 99. Effective date. This Act takes effect July 1,
13 2014.

1	INDEX	
2	Statutes amended in order of appearance	
3	105 ILCS 5/2-3.25g	from Ch. 122, par. 2-3.25g
4	105 ILCS 5/2-3.32	from Ch. 122, par. 2-3.32
5	105 ILCS 5/2-3.47	from Ch. 122, par. 2-3.47
6	105 ILCS 5/10-22.5a	from Ch. 122, par. 10-22.5a
7	105 ILCS 5/14-7.03	from Ch. 122, par. 14-7.03
8	105 ILCS 5/18-4.5	
9	105 ILCS 5/18-6	from Ch. 122, par. 18-6
10	105 ILCS 5/27A-5	
11	105 ILCS 5/27A-6.5	
12	105 ILCS 5/27A-7	
13	105 ILCS 5/27A-9	
14	105 ILCS 5/27A-11	
15	105 ILCS 5/27A-11.5	
16	105 ILCS 435/2.1	from Ch. 122, par. 697.1
17	105 ILCS 5/2-3.70 rep.	
18	105 ILCS 5/18-8.1 rep.	
19	105 ILCS 215/Act rep.	
20	105 ILCS 225/Act rep.	
21	105 ILCS 415/Act rep.	