



Rep. André Thapedi

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LRB099 15850 MLM 47816 a

1 AMENDMENT TO HOUSE BILL 5918

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

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

6 (105 ILCS 5/27A-9)

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

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

1 renewed on or after the effective date of this amendatory Act
2 of the 99th General Assembly, a charter may be renewed in
3 incremental periods not to exceed 10 school years. A charter
4 school must meet all standards for academic, organizational,
5 and financial performance set forth by the authorizer in order
6 to be renewed for a full term of 10 years. In making the
7 decision to grant a full 10-year renewal term, the authorizer
8 shall ensure that the academic performance of the charter
9 school meets or exceeds the academic goals set forth in the
10 charter contract. Nothing contained in this Section shall
11 require an authorizer to grant a full 10-year renewal term to
12 any particular charter school, but an authorizer may award a
13 full 10-year renewal term to charter schools that have a
14 demonstrated track record of improving student performance.

15 (b) A charter school renewal proposal submitted to the
16 local school board or the Commission, as the chartering entity,
17 shall contain:

18 (1) A report on the progress of the charter school in
19 achieving the goals, objectives, pupil performance
20 standards, content standards, and other terms of the
21 initial approved charter proposal; and

22 (2) A financial statement that discloses the costs of
23 administration, instruction, and other spending categories
24 for the charter school that is understandable to the
25 general public and that will allow comparison of those
26 costs to other schools or other comparable organizations,

1 in a format required by the State Board.

2 (c) A charter may be revoked or not renewed if the local
3 school board or the Commission, as the chartering entity,
4 clearly demonstrates that the charter school did any of the
5 following, or otherwise failed to comply with the requirements
6 of this law:

7 (1) Committed a material violation of any of the
8 conditions, standards, or procedures set forth in the
9 charter.

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

13 (3) Failed to meet generally accepted standards of
14 fiscal management.

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

17 In the case of revocation, the local school board or the
18 Commission, as the chartering entity, shall notify the charter
19 school in writing of the reason why the charter is subject to
20 revocation. The charter school shall submit a written plan to
21 the local school board or the Commission, whichever is
22 applicable, to rectify the problem. The plan shall include a
23 timeline for implementation, which shall not exceed 2 years or
24 the date of the charter's expiration, whichever is earlier. If
25 the local school board or the Commission, as the chartering
26 entity, finds that the charter school has failed to implement

1 the plan of remediation and adhere to the timeline, then the
2 chartering entity shall revoke the charter. Except in
3 situations of an emergency where the health, safety, or
4 education of the charter school's students is at risk, the
5 revocation shall take place at the end of a school year.
6 Nothing in this amendatory Act of the 96th General Assembly
7 shall be construed to prohibit an implementation timetable that
8 is less than 2 years in duration.

9 (d) (Blank).

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

22 (f) Notwithstanding other provisions of this Article, if
23 the Commission on appeal reverses a local board's decision or
24 if a charter school is approved by referendum, the Commission
25 shall act as the authorized chartering entity for the charter
26 school. The Commission shall approve the charter and shall

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

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

22 (h) For charter schools authorized by the Commission, the
23 State Board shall pay directly to a charter school any federal
24 or State aid attributable to a student with a disability
25 attending the school.

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

1 (105 ILCS 5/27A-11.5)

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

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

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

13 (2) From a separate appropriation made for the purpose
14 of this subdivision (2), the State Board shall make grants
15 to charter schools to pay their start-up costs of acquiring
16 educational materials and supplies, textbooks, electronic
17 textbooks and the technological equipment necessary to
18 gain access to and use electronic textbooks, furniture, and
19 other equipment or materials needed during their initial
20 term. The State Board shall annually establish the time and
21 manner of application for these grants, which shall not
22 exceed \$250 per student enrolled in the charter school.

23 (3) The Charter Schools Revolving Loan Fund is created
24 as a special fund in the State treasury. Federal funds,
25 such other funds as may be made available for costs
26 associated with the establishment of charter schools in

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

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

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