

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 State Finance Act is amended by changing
5 Section 5.796 as follows:

6 (30 ILCS 105/5.796)

7 Sec. 5.796. The State Charter School Commission Fund. This
8 Section is repealed on July 31, 2020.

9 (Source: P.A. 97-152, eff. 7-20-11; 97-813, eff. 7-13-12.)

10 Section 10. The School Code is amended by changing Sections
11 27A-3, 27A-5, 27A-6.5, 27A-7.5, 27A-7.10, 27A-8, 27A-9,
12 27A-10.10, 27A-11, 27A-11.5, and 27A-12 as follows:

13 (105 ILCS 5/27A-3)

14 Sec. 27A-3. Definitions. For purposes of this Article:

15 "At-risk pupil" means a pupil who, because of physical,
16 emotional, socioeconomic, or cultural factors, is less likely
17 to succeed in a conventional educational environment.

18 "Authorizer" means an entity authorized under this Article
19 to review applications, decide whether to approve or reject
20 applications, enter into charter contracts with applicants,
21 oversee charter schools, and decide whether to renew, not

1 renew, or revoke a charter.

2 ~~"Commission" means the State Charter School Commission~~
3 ~~established under Section 27A-7.5 of this Code.~~

4 "Local school board" means the duly elected or appointed
5 school board or board of education of a public school district,
6 including special charter districts and school districts
7 located in cities having a population of more than 500,000,
8 organized under the laws of this State.

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

10 (Source: P.A. 97-152, eff. 7-20-11.)

11 (105 ILCS 5/27A-5)

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

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

18 (b) A charter school may be established under this Article
19 by creating a new school or by converting an existing public
20 school or attendance center to charter school status. Beginning
21 on April 16, 2003 (the effective date of Public Act 93-3), in
22 all new applications to establish a charter school in a city
23 having a population exceeding 500,000, operation of the charter
24 school shall be limited to one campus. The changes made to this
25 Section by Public Act 93-3 do not apply to charter schools

1 existing or approved on or before April 16, 2003 (the effective
2 date of Public Act 93-3).

3 (b-5) In this subsection (b-5), "virtual-schooling" means
4 a cyber school where students engage in online curriculum and
5 instruction via the Internet and electronic communication with
6 their teachers at remote locations and with students
7 participating at different times.

8 From April 1, 2013 through December 31, 2016, there is a
9 moratorium on the establishment of charter schools with
10 virtual-schooling components in school districts other than a
11 school district organized under Article 34 of this Code. This
12 moratorium does not apply to a charter school with
13 virtual-schooling components existing or approved prior to
14 April 1, 2013 or to the renewal of the charter of a charter
15 school with virtual-schooling components already approved
16 prior to April 1, 2013.

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

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

1 Meetings Act.

2 (d) For purposes of this subsection (d), "non-curricular
3 health and safety requirement" means any health and safety
4 requirement created by statute or rule to provide, maintain,
5 preserve, or safeguard safe or healthful conditions for
6 students and school personnel or to eliminate, reduce, or
7 prevent threats to the health and safety of students and school
8 personnel. "Non-curricular health and safety requirement" does
9 not include any course of study or specialized instructional
10 requirement for which the State Board has established goals and
11 learning standards or which is designed primarily to impart
12 knowledge and skills for students to master and apply as an
13 outcome of their education.

14 A charter school shall comply with all non-curricular
15 health and safety requirements applicable to public schools
16 under the laws of the State of Illinois. On or before September
17 1, 2015, the State Board shall promulgate and post on its
18 Internet website a list of non-curricular health and safety
19 requirements that a charter school must meet. The list shall be
20 updated annually no later than September 1. Any charter
21 contract between a charter school and its authorizer must
22 contain a provision that requires the charter school to follow
23 the list of all non-curricular health and safety requirements
24 promulgated by the State Board and any non-curricular health
25 and safety requirements added by the State Board to such list
26 during the term of the charter. Nothing in this subsection (d)

1 precludes an authorizer from including non-curricular health
2 and safety requirements in a charter school contract that are
3 not contained in the list promulgated by the State Board,
4 including non-curricular health and safety requirements of the
5 authorizing local school board.

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. To ensure financial accountability for the use of
16 public funds, on or before December 1 of every year of
17 operation, each charter school shall submit to its authorizer
18 and the State Board a copy of its audit and a copy of the Form
19 990 the charter school filed that year with the federal
20 Internal Revenue Service. In addition, if deemed necessary for
21 proper financial oversight of the charter school, an authorizer
22 may require quarterly financial statements from each charter
23 school.

24 (g) A charter school shall comply with all provisions of
25 this Article, the Illinois Educational Labor Relations Act, all
26 federal and State laws and rules applicable to public schools

1 that pertain to special education and the instruction of
2 English learners, and its charter. A charter school is exempt
3 from all other State laws and regulations in this Code
4 governing public schools and local school board policies;
5 however, a charter school is not exempt from the following:

6 (1) Sections 10-21.9 and 34-18.5 of this Code regarding
7 criminal history records checks and checks of the Statewide
8 Sex Offender Database and Statewide Murderer and Violent
9 Offender Against Youth Database of applicants for
10 employment;

11 (2) Sections 10-20.14, 10-22.6, 24-24, 34-19, and
12 34-84a of this Code regarding discipline of students;

13 (3) the Local Governmental and Governmental Employees
14 Tort Immunity Act;

15 (4) Section 108.75 of the General Not For Profit
16 Corporation Act of 1986 regarding indemnification of
17 officers, directors, employees, and agents;

18 (5) the Abused and Neglected Child Reporting Act;

19 (5.5) subsection (b) of Section 10-23.12 and
20 subsection (b) of Section 34-18.6 of this Code;

21 (6) the Illinois School Student Records Act;

22 (7) Section 10-17a of this Code regarding school report
23 cards;

24 (8) the P-20 Longitudinal Education Data System Act;

25 (9) Section 27-23.7 of this Code regarding bullying
26 prevention;

1 (10) Section 2-3.162 of this Code regarding student
2 discipline reporting;

3 (11) Sections 22-80 and 27-8.1 of this Code;

4 (12) Sections 10-20.60 and 34-18.53 of this Code;

5 (13) Sections 10-20.63 and 34-18.56 of this Code; ~~and~~

6 (14) Section 26-18 of this Code; and

7 (15) Section 22-30 of this Code.

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

10 (h) A charter school may negotiate and contract with a
11 school district, the governing body of a State college or
12 university or public community college, or any other public or
13 for-profit or nonprofit private entity for: (i) the use of a
14 school building and grounds or any other real property or
15 facilities that the charter school desires to use or convert
16 for use as a charter school site, (ii) the operation and
17 maintenance thereof, and (iii) the provision of any service,
18 activity, or undertaking that the charter school is required to
19 perform in order to carry out the terms of its charter.
20 However, a charter school that is established on or after April
21 16, 2003 (the effective date of Public Act 93-3) and that
22 operates in a city having a population exceeding 500,000 may
23 not contract with a for-profit entity to manage or operate the
24 school during the period that commences on April 16, 2003 (the
25 effective date of Public Act 93-3) and concludes at the end of
26 the 2004-2005 school year. Except as provided in subsection (i)

1 of this Section, a school district may charge a charter school
2 reasonable rent for the use of the district's buildings,
3 grounds, and facilities. Any services for which a charter
4 school contracts with a school district shall be provided by
5 the district at cost. Any services for which a charter school
6 contracts with a local school board or with the governing body
7 of a State college or university or public community college
8 shall be provided by the public entity at cost.

9 (i) In no event shall a charter school that is established
10 by converting an existing school or attendance center to
11 charter school status be required to pay rent for space that is
12 deemed available, as negotiated and provided in the charter
13 agreement, in school district facilities. However, all other
14 costs for the operation and maintenance of school district
15 facilities that are used by the charter school shall be subject
16 to negotiation between the charter school and the local school
17 board and shall be set forth in the charter.

18 (j) A charter school may limit student enrollment by age or
19 grade level.

20 (k) If the charter school is approved by the State Board
21 ~~Commission~~, then the State Board ~~Commission~~ charter school is
22 its own local education agency.

23 (Source: P.A. 99-30, eff. 7-10-15; 99-78, eff. 7-20-15; 99-245,
24 eff. 8-3-15; 99-325, eff. 8-10-15; 99-456, eff. 9-15-16;
25 99-642, eff. 7-28-16; 99-927, eff. 6-1-17; 100-29, eff. 1-1-18;
26 100-156, eff. 1-1-18; 100-163, eff. 1-1-18; 100-413, eff.

1 1-1-18; 100-468, eff. 6-1-18; 100-726, eff. 1-1-19; 100-863,
2 eff. 8-14-18; revised 10-5-18.)

3 (105 ILCS 5/27A-6.5)

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

5 (a) No charter shall go into effect under this Section that
6 would convert any existing private, parochial, or non-public
7 school to a charter school or whose proposal has not been
8 certified by the State Board.

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

20 "FOR the establishment of (name of proposed charter
21 school) under charter school proposal (charter school
22 proposal number).

23 AGAINST the establishment of (name of proposed charter
24 school) under charter school proposal (charter school
25 proposal number)".

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

12 If the State Board ~~Commission~~ finds that the proposed
13 contract complies with the provisions of this Article, it shall
14 immediately direct the local school board to notify the proper
15 election authorities that the question of whether to establish
16 a new charter school shall be submitted for referendum.

17 (d) If the State Board ~~Commission~~ finds that the proposal
18 fails to comply with the provisions of this Article, it shall
19 provide written explanation, detailing its reasons for
20 refusal, to the local school board and to the individuals or
21 organizations submitting the proposal. The State Board
22 ~~Commission~~ shall also notify the local school board and the
23 individuals or organizations submitting the proposal that the
24 proposal may be amended and resubmitted under the same
25 provisions required for an original submission.

26 (e) If a majority of the votes cast upon the proposition in

1 each school district designated in the charter school proposal
2 is in favor of establishing a charter school, the local school
3 board shall notify the State Board ~~and the Commission~~ of the
4 passage of the proposition in favor of establishing a charter
5 school and the State Board ~~Commission~~ shall approve the charter
6 within 7 days after the State Board of Elections has certified
7 that a majority of the votes cast upon the proposition is in
8 favor of establishing a charter school. The State Board
9 ~~Commission~~ shall be the chartering entity for charter schools
10 established by referendum under this Section.

11 (f) (Blank). ~~The State Board shall determine whether the~~
12 ~~charter proposal approved by the Commission is consistent with~~
13 ~~the provisions of this Article and, if the approved proposal~~
14 ~~complies, certify the proposal pursuant to this Article.~~

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

16 (105 ILCS 5/27A-7.5)

17 Sec. 27A-7.5. State Charter School Commission abolished;
18 transfer to State Board.

19 (a) On July 1, 2020, the ~~A~~ State Charter School Commission
20 is abolished and the terms of all members end. On that date,
21 all of the powers, duties, assets, liabilities, contracts,
22 property, records, and pending business of the Commission are
23 transferred to the State Board. For purposes of the Successor
24 Agency Act and Section 9b of the State Finance Act, the State
25 Board is declared to be the successor agency of the Commission.

1 Beginning on July 1, 2020, references in statutes, rules,
2 forms, and other documents to the Commission shall, in
3 appropriate contexts, be deemed to refer to the State Board.
4 Standards and procedures of the Commission in effect on July 1,
5 2020 shall be deemed standards and procedures of the State
6 Board and shall remain in effect until amended or repealed by
7 the State Board. ~~established as an independent commission with~~
8 ~~statewide chartering jurisdiction and authority. The~~
9 ~~Commission shall be under the State Board for administrative~~
10 ~~purposes only.~~

11 ~~(a-5) The State Board shall provide administrative support~~
12 ~~to the Commission as needed.~~

13 ~~(b) The Commission is responsible for authorizing~~
14 ~~high quality charter schools throughout this State,~~
15 ~~particularly schools designed to expand opportunities for~~
16 ~~at risk students, consistent with the purposes of this Article.~~

17 ~~(c) The Commission shall consist of 9 members, appointed by~~
18 ~~the State Board. The State Board shall make these appointments~~
19 ~~from a slate of candidates proposed by the Governor, within 60~~
20 ~~days after the effective date of this amendatory Act of the~~
21 ~~97th General Assembly with respect to the initial Commission~~
22 ~~members. In making the appointments, the State Board shall~~
23 ~~ensure statewide geographic diversity among Commission~~
24 ~~members. The Governor shall propose a slate of candidates to~~
25 ~~the State Board within 60 days after the effective date of this~~
26 ~~amendatory Act of the 97th General Assembly and 60 days prior~~

1 ~~to the expiration of the term of a member thereafter. If the~~
2 ~~Governor fails to timely propose a slate of candidates~~
3 ~~according to the provisions of this subsection (c), then the~~
4 ~~State Board may appoint the member or members of the~~
5 ~~Commission.~~

6 ~~(d) Members appointed to the Commission shall collectively~~
7 ~~possess strong experience and expertise in public and nonprofit~~
8 ~~governance, management and finance, public school leadership,~~
9 ~~higher education, assessments, curriculum and instruction, and~~
10 ~~public education law. All members of the Commission shall have~~
11 ~~demonstrated understanding of and a commitment to public~~
12 ~~education, including without limitation charter schooling. At~~
13 ~~least 3 members must have past experience with urban charter~~
14 ~~schools.~~

15 ~~(e) To establish staggered terms of office, the initial~~
16 ~~term of office for 3 Commission members shall be 4 years and~~
17 ~~thereafter shall be 4 years; the initial term of office for~~
18 ~~another 3 members shall be 3 years and thereafter shall be 4~~
19 ~~years; and the initial term of office for the remaining 3~~
20 ~~members shall be 2 years and thereafter shall be 4 years. The~~
21 ~~initial appointments must be made no later than October 1,~~
22 ~~2011.~~

23 ~~(f) Whenever a vacancy on the Commission exists, the State~~
24 ~~Board shall appoint a member for the remaining portion of the~~
25 ~~term.~~

26 ~~(g) Subject to the State Officials and Employees Ethics~~

1 ~~Act, the Commission is authorized to receive and expend gifts,~~
2 ~~grants, and donations of any kind from any public or private~~
3 ~~entity to carry out the purposes of this Article, subject to~~
4 ~~the terms and conditions under which they are given, provided~~
5 ~~that all such terms and conditions are permissible under law.~~
6 ~~Funds received under this subsection (g) must be deposited into~~
7 ~~the State Charter School Commission Fund.~~

8 (b) The State Charter School Commission Fund is created as
9 a special fund in the State treasury. All money in the Fund
10 shall be used, subject to appropriation, by the State Board,
11 acting on behalf and with the consent of the Commission, for
12 operational and administrative costs of the Commission. On July
13 1, 2020, the State Comptroller shall order transferred and the
14 State Treasurer shall transfer all money in the State Charter
15 School Commission Fund to the State Board of Education Special
16 Purpose Trust Fund.

17 ~~Subject to appropriation, any funds appropriated for use by~~
18 ~~the State Board, acting on behalf and with the consent of the~~
19 ~~Commission, may be used for the following purposes, without~~
20 ~~limitation: personal services, contractual services, and other~~
21 ~~operational and administrative costs. The State Board is~~
22 ~~further authorized to make expenditures with respect to any~~
23 ~~other amounts deposited in accordance with law into the State~~
24 ~~Charter School Commission Fund.~~

25 (b-5) Beginning on July 1, 2020, the State Board of
26 Education may charge a charter school that it authorizes a fee

1 not to exceed 3% of the revenue provided to the school to be
2 used exclusively for covering the cost of authorizing
3 activities. Authorizing activities may include, but are not
4 limited to: (i) soliciting, reviewing, and taking action on
5 charter school proposals; (ii) hiring, training, and
6 supervising staff engaged in authorizing activities; (iii)
7 developing and conducting oversight, including regular
8 monitoring, of authorized charter schools; (iv) reporting on
9 best practices and performances of charter schools; (v)
10 applying for, managing, and distributing grants and funds
11 appropriated for charter schools and authorizing activities;
12 (vi) training members of the State Board on their authorizing
13 roles; and (vii) training other employees of the State Board on
14 how to work with charter schools as their own local education
15 agencies.

16 ~~(g 5) Funds or spending authority for the operation and~~
17 ~~administrative costs of the Commission shall be appropriated to~~
18 ~~the State Board in a separate line item. The State~~
19 ~~Superintendent of Education may not reduce or modify the budget~~
20 ~~of the Commission or use funds appropriated to the Commission~~
21 ~~without the approval of the Commission.~~

22 ~~(h) The Commission shall operate with dedicated resources~~
23 ~~and staff qualified to execute the day to day responsibilities~~
24 ~~of charter school authorizing in accordance with this Article.~~
25 ~~The Commission may employ and fix the compensation of such~~
26 ~~employees and technical assistants as it deems necessary to~~

1 ~~carry out its powers and duties under this Article, without~~
2 ~~regard to the requirements of any civil service or personnel~~
3 ~~statute; and may establish and administer standards of~~
4 ~~classification of all such persons with respect to their~~
5 ~~compensation, duties, performance, and tenure and enter into~~
6 ~~contracts of employment with such persons for such periods and~~
7 ~~on such terms as the Commission deems desirable.~~

8 ~~(i) Every 2 years, the Commission shall provide to the~~
9 ~~State Board and local school boards a report on best practices~~
10 ~~in charter school authorizing, including without limitation~~
11 ~~evaluating applications, oversight of charters, and renewal of~~
12 ~~charter schools.~~

13 ~~(j) The Commission may charge a charter school that it~~
14 ~~authorizes a fee, not to exceed 3% of the revenue provided to~~
15 ~~the school, to cover the cost of undertaking the ongoing~~
16 ~~administrative responsibilities of the eligible chartering~~
17 ~~authority with respect to the school. This fee must be~~
18 ~~deposited into the State Charter School Commission Fund.~~

19 (c) On July 1, 2020, any ~~(k) Any~~ charter school authorized
20 by the State Charter School Commission ~~State Board~~ prior to
21 July 1, 2020 ~~this amendatory Act of the 97th General Assembly~~
22 shall have its authorization transferred to ~~the Commission upon~~
23 ~~a vote of~~ the State Board, which shall then become the school's
24 authorizer for all purposes under this Article. On July 1, 2020
25 ~~However, in no case shall such transfer take place later than~~
26 ~~July 1, 2012. At this time, all of the powers, duties, assets,~~

1 liabilities, contracts, property, records, and pending
2 business of the State Charter School Commission ~~State Board~~ as
3 the school's authorizer must be transferred to the State Board
4 Commission. ~~Any charter school authorized by a local school~~
5 ~~board or boards may seek transfer of authorization to the~~
6 ~~Commission during its current term only with the approval of~~
7 ~~the local school board or boards.~~ At the end of its charter
8 term, a charter school may ~~authorized by a local school board~~
9 ~~or boards must~~ reapply to the board or boards for authorization
10 ~~before it may apply for authorization to the Commission under~~
11 ~~the terms of this amendatory Act of the 97th General Assembly.~~

12 (d) On July 1, 2020 ~~the effective date of this amendatory~~
13 ~~Act of the 97th General Assembly,~~ all rules of the State Board
14 applicable to matters falling within the responsibility of the
15 State Charter School Commission shall be applicable to the
16 actions of the State Board ~~Commission~~. ~~The Commission shall~~
17 ~~thereafter have the authority to propose to the State Board~~
18 ~~modifications to all rules applicable to matters falling within~~
19 ~~the responsibility of the Commission. The State Board shall~~
20 ~~retain rulemaking authority for the Commission, but shall work~~
21 ~~jointly with the Commission on any proposed modifications. Upon~~
22 ~~recommendation of proposed rule modifications by the~~
23 ~~Commission and pursuant to the Illinois Administrative~~
24 ~~Procedure Act, the State Board shall consider such changes~~
25 ~~within the intent of this amendatory Act of the 97th General~~
26 ~~Assembly and grant any and all changes consistent with that~~

1 ~~intent.~~

2 ~~(1) The Commission shall have the responsibility to~~
3 ~~consider appeals under this Article immediately upon~~
4 ~~appointment of the initial members of the Commission under~~
5 ~~subsection (c) of this Section. Appeals pending at the time of~~
6 ~~initial appointment shall be determined by the Commission; the~~
7 ~~Commission may extend the time for review as necessary for~~
8 ~~thorough review, but in no case shall the extension exceed the~~
9 ~~time that would have been available had the appeal been~~
10 ~~submitted to the Commission on the date of appointment of its~~
11 ~~initial members. In any appeal filed with the Commission under~~
12 ~~this Article, both the applicant and the school district in~~
13 ~~which the charter school plans to locate shall have the right~~
14 ~~to request a hearing before the Commission. If more than one~~
15 ~~entity requests a hearing, then the Commission may hold only~~
16 ~~one hearing, wherein the applicant and the school district~~
17 ~~shall have an equal opportunity to present their respective~~
18 ~~positions.~~

19 (Source: P.A. 97-152, eff. 7-20-11; 97-641, eff. 12-19-11;
20 97-1156, eff. 1-25-13.)

21 (105 ILCS 5/27A-7.10)

22 Sec. 27A-7.10. Authorizer powers and duties; immunity;
23 principles and standards.

24 (a) Authorizers are responsible for executing, in
25 accordance with this Article, all of the following powers and

1 duties:

2 (1) Soliciting and evaluating charter applications.

3 (2) Approving quality charter applications that meet
4 identified educational needs and promote a diversity of
5 educational choices.

6 (3) Declining to approve weak or inadequate charter
7 applications.

8 (4) Negotiating and executing sound charter contracts
9 with each approved charter school.

10 (5) Monitoring, in accordance with charter contract
11 terms, the performance and legal compliance of charter
12 schools.

13 (6) Determining whether each charter contract merits
14 renewal, nonrenewal, or revocation.

15 (b) An authorizing entity may delegate its duties to
16 officers, employees, and contractors.

17 (c) Regulation by authorizers is limited to the powers and
18 duties set forth in subsection (a) of this Section and must be
19 consistent with the spirit and intent of this Article.

20 (d) An authorizing entity, members of the local school
21 board, and ~~or~~ the State Board Commission, in their official
22 capacity, and employees of an authorizer are immune from civil
23 and criminal liability with respect to all activities related
24 to a charter school that they authorize, except for willful or
25 wanton misconduct.

26 (e) The State Board Commission and all local school boards

1 that have a charter school operating are required to develop
2 and maintain chartering policies and practices consistent with
3 recognized principles and standards for quality charter
4 authorizing in all major areas of authorizing responsibility,
5 including all of the following:

- 6 (1) Organizational capacity and infrastructure.
- 7 (2) Soliciting and evaluating charter applications.
- 8 (3) Performance contracting.
- 9 (4) Ongoing charter school oversight and evaluation.
- 10 (5) Charter renewal decision-making.

11 Authorizers shall carry out all their duties under this
12 Article in a manner consistent with nationally recognized
13 principles and standards and with the spirit and intent of this
14 Article.

15 (Source: P.A. 97-152, eff. 7-20-11.)

16 (105 ILCS 5/27A-8)

17 Sec. 27A-8. Evaluation of charter proposals.

18 (a) This Section does not apply to a charter school
19 established by referendum under Section 27A-6.5. In evaluating
20 any charter school proposal submitted to it, the local school
21 board ~~and the Commission~~ shall give preference to proposals
22 that:

- 23 (1) demonstrate a high level of local pupil, parental,
24 community, business, and school personnel support;
- 25 (2) set rigorous levels of expected pupil achievement

1 and demonstrate feasible plans for attaining those levels
2 of achievement; and

3 (3) are designed to enroll and serve a substantial
4 proportion of at-risk children; provided that nothing in
5 the Charter Schools Law shall be construed as intended to
6 limit the establishment of charter schools to those that
7 serve a substantial portion of at-risk children or to in
8 any manner restrict, limit, or discourage the
9 establishment of charter schools that enroll and serve
10 other pupil populations under a nonexclusive,
11 nondiscriminatory admissions policy.

12 (b) In the case of a proposal to establish a charter school
13 by converting an existing public school or attendance center to
14 charter school status, evidence that the proposed formation of
15 the charter school has received majority support from certified
16 teachers and from parents and guardians in the school or
17 attendance center affected by the proposed charter, and, if
18 applicable, from a local school council, shall be demonstrated
19 by a petition in support of the charter school signed by
20 certified teachers and a petition in support of the charter
21 school signed by parents and guardians and, if applicable, by a
22 vote of the local school council held at a public meeting. In
23 the case of all other proposals to establish a charter school,
24 evidence of sufficient support to fill the number of pupil
25 seats set forth in the proposal may be demonstrated by a
26 petition in support of the charter school signed by parents and

1 guardians of students eligible to attend the charter school. In
2 all cases, the individuals, organizations, or entities who
3 initiate the proposal to establish a charter school may elect,
4 in lieu of including any petition referred to in this
5 subsection as a part of the proposal submitted to the local
6 school board, to demonstrate that the charter school has
7 received the support referred to in this subsection by other
8 evidence and information presented at the public meeting that
9 the local school board is required to convene under this
10 Section.

11 (c) Within 45 days of receipt of a charter school proposal,
12 the local school board shall convene a public meeting to obtain
13 information to assist the board in its decision to grant or
14 deny the charter school proposal. A local school board may
15 develop its own process for receiving charter school proposals
16 on an annual basis that follows the same timeframes as set
17 forth in this Article. Final decisions of a local school board
18 are subject to judicial review under the Administrative Review
19 Law. ~~Only after the local school board process is followed may~~
20 ~~a charter school applicant appeal to the Commission.~~

21 (d) Notice of the public meeting required by this Section
22 shall be published in a community newspaper published in the
23 school district in which the proposed charter is located and,
24 if there is no such newspaper, then in a newspaper published in
25 the county and having circulation in the school district. The
26 notices shall be published not more than 10 days nor less than

1 5 days before the meeting and shall state that information
2 regarding a charter school proposal will be heard at the
3 meeting. Copies of the notice shall also be posted at
4 appropriate locations in the school or attendance center
5 proposed to be established as a charter school, the public
6 schools in the school district, and the local school board
7 office. ~~If 45 days pass without the local school board holding~~
8 ~~a public meeting, then the charter applicant may submit the~~
9 ~~proposal to the Commission, where it must be addressed in~~
10 ~~accordance with the provisions set forth in subsection (g) of~~
11 ~~this Section.~~

12 (e) Within 30 days of the public meeting, the local school
13 board shall vote, in a public meeting, to either grant or deny
14 the charter school proposal. ~~If the local school board has not~~
15 ~~voted in a public meeting within 30 days after the public~~
16 ~~meeting, then the charter applicant may submit the proposal to~~
17 ~~the Commission, where it must be addressed in accordance with~~
18 ~~the provisions set forth in subsection (g) of this Section.~~

19 (f) Within 7 days of the public meeting required under
20 subsection (e) of this Section, the local school board shall
21 file a report with the State Board granting or denying the
22 proposal. If the local school board has approved the proposal,
23 within 30 days of receipt of the local school board's report,
24 the State Board shall determine whether the approved charter
25 proposal is consistent with the provisions of this Article and,
26 if the approved proposal complies, certify the proposal

1 pursuant to Section 27A-6.

2 (g) (Blank). ~~If the local school board votes to deny the~~
3 ~~proposal, then the charter school applicant has 30 days from~~
4 ~~the date of that vote to submit an appeal to the Commission. In~~
5 ~~such instances or in those instances referenced in subsections~~
6 ~~(d) and (e) of this Section, the Commission shall follow the~~
7 ~~same process and be subject to the same timelines for review as~~
8 ~~the local school board.~~

9 (h) (Blank). ~~The Commission may reverse a local school~~
10 ~~board's decision to deny a charter school proposal if the~~
11 ~~Commission finds that the proposal (i) is in compliance with~~
12 ~~this Article and (ii) is in the best interests of the students~~
13 ~~the charter school is designed to serve. Final decisions of the~~
14 ~~Commission are subject to judicial review under the~~
15 ~~Administrative Review Law.~~

16 (i) (Blank). ~~In the case of a charter school proposed to be~~
17 ~~jointly authorized by 2 or more school districts, the local~~
18 ~~school boards may unanimously deny the charter school proposal~~
19 ~~with a statement that the local school boards are not opposed~~
20 ~~to the charter school, but that they yield to the Commission in~~
21 ~~light of the complexities of joint administration.~~

22 (Source: P.A. 96-105, eff. 7-30-09; 96-734, eff. 8-25-09;
23 96-1000, eff. 7-2-10; 97-152, eff. 7-20-11.)

24 (105 ILCS 5/27A-9)

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

1 (a) For charters granted before January 1, 2017 (the
2 effective date of Public Act 99-840), a charter may be granted
3 for a period not less than 5 and not more than 10 school years.
4 For charters granted on or after January 1, 2017 (the effective
5 date of Public Act 99-840), a charter shall be granted for a
6 period of 5 school years. For charters renewed before January
7 1, 2017 (the effective date of Public Act 99-840), a charter
8 may be renewed in incremental periods not to exceed 5 school
9 years. For charters renewed on or after January 1, 2017 (the
10 effective date of Public Act 99-840), a charter may be renewed
11 in incremental periods not to exceed 10 school years; however,
12 the State Board ~~Commission~~ may renew a charter only in
13 incremental periods not to exceed 5 years. Authorizers shall
14 ensure that every charter granted on or after January 1, 2017
15 (the effective date of Public Act 99-840) includes standards
16 and goals for academic, organizational, and financial
17 performance. A charter must meet all standards and goals for
18 academic, organizational, and financial performance set forth
19 by the authorizer in order to be renewed for a term in excess
20 of 5 years but not more than 10 years. If an authorizer fails
21 to establish standards and goals, a charter shall not be
22 renewed for a term in excess of 5 years. Nothing contained in
23 this Section shall require an authorizer to grant a full
24 10-year renewal term to any particular charter school, but an
25 authorizer may award a full 10-year renewal term to charter
26 schools that have a demonstrated track record of improving

1 student performance.

2 (b) A charter school renewal proposal submitted to the
3 local school board or the State Board ~~Commission~~, as the
4 chartering entity, shall contain:

5 (1) A report on the progress of the charter school in
6 achieving the goals, objectives, pupil performance
7 standards, content standards, and other terms of the
8 initial approved charter proposal; and

9 (2) A financial statement that discloses the costs of
10 administration, instruction, and other spending categories
11 for the charter school that is understandable to the
12 general public and that will allow comparison of those
13 costs to other schools or other comparable organizations,
14 in a format required by the State Board.

15 (c) A charter may be revoked or not renewed if the local
16 school board or the State Board ~~Commission~~, as the chartering
17 entity, clearly demonstrates that the charter school did any of
18 the following, or otherwise failed to comply with the
19 requirements of this law:

20 (1) Committed a material violation of any of the
21 conditions, standards, or procedures set forth in the
22 charter.

23 (2) Failed to meet or make reasonable progress toward
24 achievement of the content standards or pupil performance
25 standards identified in the charter.

26 (3) Failed to meet generally accepted standards of

1 fiscal management.

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

4 In the case of revocation, the local school board or the
5 State Board Commission, as the chartering entity, shall notify
6 the charter school in writing of the reason why the charter is
7 subject to revocation. The charter school shall submit a
8 written plan to the local school board or the State Board
9 Commission, whichever is applicable, to rectify the problem.
10 The plan shall include a timeline for implementation, which
11 shall not exceed 2 years or the date of the charter's
12 expiration, whichever is earlier. If the local school board or
13 the State Board Commission, as the chartering entity, finds
14 that the charter school has failed to implement the plan of
15 remediation and adhere to the timeline, then the chartering
16 entity shall revoke the charter. Except in situations of an
17 emergency where the health, safety, or education of the charter
18 school's students is at risk, the revocation shall take place
19 at the end of a school year. Nothing in Public Act 96-105 shall
20 be construed to prohibit an implementation timetable that is
21 less than 2 years in duration. No local school board may revoke
22 or not renew a charter unless it determines that doing so is in
23 the best interests of the students currently enrolled in the
24 charter school. Except for extenuating circumstances outlined
25 in this Section, if a local school board revokes or does not
26 renew a charter, it must ensure that all students currently

1 enrolled in the charter school are offered placement in schools
2 that are higher performing than that charter school, as defined
3 in the State's federal Every Student Succeeds Act
4 accountability plan, and that they have reasonable options for
5 transportation to those schools. In determining whether
6 extenuating circumstances exist, a local school board must
7 detail, by clear and convincing evidence, that factors
8 unrelated to the charter school's accountability designation
9 outweigh the charter school's academic performance.

10 (d) (Blank).

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

24 (f) Notwithstanding other provisions of this Article, if
25 the State Board ~~Commission~~ on appeal reverses a local board's
26 decision to not renew a charter or if a charter school is

1 approved by referendum, the State Board ~~Commission~~ shall act as
2 the authorized chartering entity for the charter school. The
3 State Board ~~Commission~~ shall approve the charter and shall
4 perform all functions under this Article otherwise performed by
5 the local school board. ~~The State Board shall determine whether~~
6 ~~the charter proposal approved by the Commission is consistent~~
7 ~~with the provisions of this Article and, if the approved~~
8 ~~proposal complies, certify the proposal pursuant to this~~
9 ~~Article.~~ The State Board shall report the aggregate number of
10 charter school pupils resident in a school district to that
11 district and shall notify the district of the amount of funding
12 to be paid by the State Board to the charter school enrolling
13 such students. The State Board ~~Commission~~ shall require the
14 charter school to maintain accurate records of daily attendance
15 that shall be deemed sufficient to file claims under Section
16 ~~18-8.05 or~~ 18-8.15 notwithstanding any other requirements of
17 that Section ~~regarding hours of instruction and teacher~~
18 ~~certification.~~ The State Board shall withhold from funds
19 otherwise due the district the funds authorized by this Article
20 to be paid to the charter school and shall pay such amounts to
21 the charter school.

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

25 (h) For charter schools authorized by the State Board
26 ~~Commission~~, the State Board shall pay directly to a charter

1 school any federal or State aid attributable to a student with
2 a disability attending the school.

3 (Source: P.A. 99-840, eff. 1-1-17; 100-201, eff. 8-18-17;
4 100-465, eff. 8-31-17.)

5 (105 ILCS 5/27A-10.10)

6 Sec. 27A-10.10. Closure of charter school; unspent public
7 funds; procedures for the disposition of property and assets.

8 (a) Upon the closing of a charter school authorized by one
9 or more local school boards, the governing body of the charter
10 school or its designee shall refund to the chartering entity or
11 entities all unspent public funds. The charter school's other
12 property and assets shall be disposed of under the provisions
13 of the charter application and contract. If the application and
14 contract are silent or ambiguous as to the disposition of any
15 of the school's property or assets, any property or assets of
16 the charter school purchased with public funds shall be
17 returned to the school district or districts from which the
18 charter school draws enrollment, at no cost to the receiving
19 district or districts, subject to each district's acceptance of
20 the property or asset. Any unspent public funds or other
21 property or assets received by the charter school directly from
22 any State or federal agency shall be refunded to or revert back
23 to that State or federal agency, respectively.

24 (b) Upon the closing of a charter school authorized by the
25 State Board ~~Commission~~, the governing body of the charter

1 school or its designee shall refund all unspent public funds to
2 the State Board ~~of Education~~. The charter school's other
3 property and assets shall be disposed of under the provisions
4 of the charter application and contract. If the application and
5 contract are silent or ambiguous as to the disposition of any
6 of the school's property or assets, any property or assets of
7 the charter school purchased with public funds shall be
8 returned to the school district or districts from which the
9 charter school draws its enrollment, at no cost to the
10 receiving district or districts, subject to each district's
11 acceptance of the property or asset. Any unspent public funds
12 or other property or assets provided by a State agency other
13 than the State Board of Education or by a federal agency shall
14 be refunded to or revert back to that State or federal agency,
15 respectively.

16 (c) If a determination is made to close a charter school
17 located within the boundaries of a school district organized
18 under Article 34 of this Code for at least one school year, the
19 charter school shall give at least 60 days' notice of the
20 closure to all affected students and parents or legal
21 guardians.

22 (Source: P.A. 100-179, eff. 8-18-17.)

23 (105 ILCS 5/27A-11)

24 Sec. 27A-11. Local financing.

25 (a) For purposes of this ~~the School~~ Code, pupils enrolled

1 in a charter school shall be included in the pupil enrollment
2 of the school district within which the pupil resides. Each
3 charter school (i) shall determine the school district in which
4 each pupil who is enrolled in the charter school resides, (ii)
5 shall report the aggregate number of pupils resident of a
6 school district who are enrolled in the charter school to the
7 school district in which those pupils reside, and (iii) shall
8 maintain accurate records of daily attendance that shall be
9 deemed sufficient to file claims under Section ~~18-8 or~~ 18-8.15
10 notwithstanding any other requirements of that Section
11 ~~regarding hours of instruction and teacher certification.~~

12 (b) Except for a charter school established by referendum
13 under Section 27A-6.5, as part of a charter school contract,
14 the charter school and the local school board shall agree on
15 funding and any services to be provided by the school district
16 to the charter school. Agreed funding that a charter school is
17 to receive from the local school board for a school year shall
18 be paid in equal quarterly installments with the payment of the
19 installment for the first quarter being made not later than
20 July 1, unless the charter establishes a different payment
21 schedule. However, if a charter school dismisses a pupil from
22 the charter school after receiving a quarterly payment, the
23 charter school shall return to the school district, on a
24 quarterly basis, the prorated portion of public funding
25 provided for the education of that pupil for the time the
26 student is not enrolled at the charter school. Likewise, if a

1 pupil transfers to a charter school between quarterly payments,
2 the school district shall provide, on a quarterly basis, a
3 prorated portion of the public funding to the charter school to
4 provide for the education of that pupil.

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 97% or more than
17 103% 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 State Board ~~Commission~~ 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. 99-78, eff. 7-20-15; 100-465, eff. 8-31-17.)

5 (105 ILCS 5/27A-11.5)

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

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

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

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

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

1 local school board shall not be responsible for repayment
2 of the loan. The State Board may use up to 3% of the
3 appropriation to contract with a non-profit entity to
4 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. 98-739, eff. 7-16-14; 99-840, eff. 1-1-17.)

10 (105 ILCS 5/27A-12)

11 Sec. 27A-12. Evaluation; report. On or before September 30
12 of every odd-numbered year, all local school boards with at
13 least one charter school, ~~as well as the Commission,~~ shall
14 submit to the State Board any information required by the State
15 Board pursuant to applicable rule. On or before the second
16 Wednesday in January of every even-numbered year, the State
17 Board shall issue a report to the General Assembly and the
18 Governor on its findings for the previous 2 school years. The
19 State Board's report shall summarize all of the following:

20 (1) The authorizer's strategic vision for chartering
21 and progress toward achieving that vision.

22 (2) The academic and financial performance of all
23 operating charter schools overseen by the authorizer,
24 according to the performance expectations for charter
25 schools set forth in this Article.

1 (3) The status of the authorizer's charter school
2 portfolio, identifying all charter schools in each of the
3 following categories: approved (but not yet open),
4 operating, renewed, transferred, revoked, not renewed,
5 voluntarily closed, or never opened.

6 (4) The authorizing functions provided by the
7 authorizer to the charter schools under its purview,
8 including the authorizer's operating costs and expenses
9 detailed in annual audited financial statements, which
10 must conform with generally accepted accounting
11 principles.

12 Further, in the report required by this Section, the State
13 Board (i) shall compare the performance of charter school
14 pupils with the performance of ethnically and economically
15 comparable groups of pupils in other public schools who are
16 enrolled in academically comparable courses, (ii) shall review
17 information regarding the regulations and policies from which
18 charter schools were released to determine if the exemptions
19 assisted or impeded the charter schools in meeting their stated
20 goals and objectives, and (iii) shall include suggested changes
21 in State law necessary to strengthen charter schools.

22 In addition, the State Board shall undertake and report on
23 periodic evaluations of charter schools that include
24 evaluations of student academic achievement, the extent to
25 which charter schools are accomplishing their missions and
26 goals, the sufficiency of funding for charter schools, and the

1 need for changes in the approval process for charter schools.

2 Based on the information that the State Board receives from
3 authorizers and the State Board's ongoing monitoring of both
4 charter schools and authorizers, the State Board has the power
5 to remove the power to authorize from any authorizer in this
6 State if the authorizer does not demonstrate a commitment to
7 high-quality authorization practices and, if necessary, revoke
8 the chronically low-performing charters authorized by the
9 authorizer at the time of the removal. The State Board shall
10 adopt rules as needed to carry out this power, including
11 provisions to determine the status of schools authorized by an
12 authorizer whose authorizing power is revoked.

13 (Source: P.A. 96-105, eff. 7-30-09; 97-152, eff. 7-20-11.)