

1 AN ACT concerning education, which may be referred to as
2 the Charter School Quality Law.

3 **Be it enacted by the People of the State of Illinois,**
4 **represented in the General Assembly:**

5 Section 3. The State Finance Act is amended by adding
6 Section 5.786 as follows:

7 (30 ILCS 105/5.786 new)

8 Sec. 5.786. The State Charter School Commission Fund.

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

12 (105 ILCS 5/27A-3)

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

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

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

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

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

8 "State Board" means the State Board of Education.
9 (Source: P.A. 89-450, eff. 4-10-96.)

10 (105 ILCS 5/27A-5)

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

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

17 (b) A charter school may be established under this Article
18 by creating a new school or by converting an existing public
19 school or attendance center to charter school status. Beginning
20 on the effective date of this amendatory Act of the 93rd
21 General Assembly, in all new applications submitted to the
22 State Board or a local school board to establish a charter
23 school in a city having a population exceeding 500,000,
24 operation of the charter school shall be limited to one campus.
25 The changes made to this Section by this amendatory Act of the

1 93rd General Assembly do not apply to charter schools existing
2 or approved on or before the effective date of this amendatory
3 Act.

4 (c) A charter school shall be administered and governed by
5 its board of directors or other governing body in the manner
6 provided in its charter. The governing body of a charter school
7 shall be subject to the Freedom of Information Act and the Open
8 Meetings Act.

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

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

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

25 (g) A charter school shall comply with all provisions of
26 this Article, the Illinois Educational Labor Relations Act, and

1 its charter. A charter school is exempt from all other State
2 laws and regulations in the School Code governing public
3 schools and local school board policies, except the following:

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

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

11 (3) The Local Governmental and Governmental Employees
12 Tort Immunity Act;

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

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

17 (6) The Illinois School Student Records Act;

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

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

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

23 (h) A charter school may negotiate and contract with a
24 school district, the governing body of a State college or
25 university or public community college, or any other public or
26 for-profit or nonprofit private entity for: (i) the use of a

1 school building and grounds or any other real property or
2 facilities that the charter school desires to use or convert
3 for use as a charter school site, (ii) the operation and
4 maintenance thereof, and (iii) the provision of any service,
5 activity, or undertaking that the charter school is required to
6 perform in order to carry out the terms of its charter.
7 However, a charter school that is established on or after the
8 effective date of this amendatory Act of the 93rd General
9 Assembly and that operates in a city having a population
10 exceeding 500,000 may not contract with a for-profit entity to
11 manage or operate the school during the period that commences
12 on the effective date of this amendatory Act of the 93rd
13 General Assembly and concludes at the end of the 2004-2005
14 school year. Except as provided in subsection (i) of this
15 Section, a school district may charge a charter school
16 reasonable rent for the use of the district's buildings,
17 grounds, and facilities. Any services for which a charter
18 school contracts with a school district shall be provided by
19 the district at cost. Any services for which a charter school
20 contracts with a local school board or with the governing body
21 of a State college or university or public community college
22 shall be provided by the public entity at cost.

23 (i) In no event shall a charter school that is established
24 by converting an existing school or attendance center to
25 charter school status be required to pay rent for space that is
26 deemed available, as negotiated and provided in the charter

1 agreement, in school district facilities. However, all other
2 costs for the operation and maintenance of school district
3 facilities that are used by the charter school shall be subject
4 to negotiation between the charter school and the local school
5 board and shall be set forth in the charter.

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

8 (k) If the charter school is approved by the Commission,
9 then the Commission charter school is its own local education
10 agency.

11 (Source: P.A. 96-104, eff. 1-1-10; 96-105, eff. 7-30-09;
12 96-107, eff. 7-30-09; 96-734, eff. 8-25-09; 96-1000, eff.
13 7-2-10.)

14 (105 ILCS 5/27A-7.5 new)

15 Sec. 27A-7.5. State Charter School Commission.

16 (a) A State Charter School Commission is established as an
17 independent State agency with statewide chartering
18 jurisdiction and authority.

19 (b) The Commission is responsible for authorizing
20 high-quality charter schools throughout this State,
21 particularly schools designed to expand opportunities for
22 at-risk students, consistent with the purposes of this Article.

23 (c) The Commission shall consist of 9 members, appointed by
24 the State Board. The State Board shall make these appointments
25 from a slate of candidates proposed by the Governor, within 60

1 days after the effective date of this amendatory Act of the
2 97th General Assembly with respect to the initial Commission
3 members. In making the appointments, the State Board shall
4 ensure statewide geographic diversity among Commission
5 members. The Governor shall propose a slate of candidates to
6 the State Board within 60 days after the effective date of this
7 amendatory Act of the 97th General Assembly and 60 days prior
8 to the expiration of the term of a member thereafter. If the
9 Governor fails to timely propose a slate of candidates
10 according to the provisions of this subsection (c), then the
11 State Board may appoint the member or members of the
12 Commission.

13 (d) Members appointed to the Commission shall collectively
14 possess strong experience and expertise in public and nonprofit
15 governance, management and finance, public school leadership,
16 higher education, assessments, curriculum and instruction, and
17 public education law. All members of the Commission shall have
18 demonstrated understanding of and a commitment to public
19 education, including without limitation charter schooling. At
20 least 3 members must have past experience with urban charter
21 schools.

22 (e) To establish staggered terms of office, the initial
23 term of office for 3 Commission members shall be 4 years and
24 thereafter shall be 4 years; the initial term of office for
25 another 3 members shall be 3 years and thereafter shall be 4
26 years; and the initial term of office for the remaining 3

1 members shall be 2 years and thereafter shall be 4 years. The
2 initial appointments must be made no later than October 1,
3 2011.

4 (f) Whenever a vacancy on the Commission exists, the State
5 Board shall appoint a member for the remaining portion of the
6 term.

7 (g) Subject to the State Officials and Employees Ethics
8 Act, the Commission is authorized to receive and expend gifts,
9 grants, and donations of any kind from any public or private
10 entity to carry out the purposes of this Article, subject to
11 the terms and conditions under which they are given, provided
12 that all such terms and conditions are permissible under law.
13 Funds received under this subsection (g) must be deposited into
14 the State Charter School Commission Fund.

15 The State Charter School Commission Fund is created as a
16 special fund in the State treasury. All money in the Fund shall
17 be used, subject to appropriation, by the Commission for
18 operational and administrative costs of the Commission.

19 (h) The Commission shall operate with dedicated resources
20 and staff qualified to execute the day-to-day responsibilities
21 of charter school authorizing in accordance with this Article.

22 (i) Every 2 years, the Commission shall provide to the
23 State Board and local school boards a report on best practices
24 in charter school authorizing, including without limitation
25 evaluating applications, oversight of charters, and renewal of
26 charter schools.

1 (j) The Commission may charge a charter school that it
2 authorizes a fee, not to exceed 3% of the revenue provided to
3 the school, to cover the cost of undertaking the ongoing
4 administrative responsibilities of the eligible chartering
5 authority with respect to the school. This fee must be
6 deposited into the State Charter School Commission Fund.

7 (k) Any charter school authorized by the State Board prior
8 to this amendatory Act of the 97th General Assembly shall have
9 its authorization transferred to the Commission upon a vote of
10 the State Board, which shall then become the school's
11 authorizer for all purposes under this Article. However, in no
12 case shall such transfer take place later than July 1, 2012. At
13 this time, all of the powers, duties, assets, liabilities,
14 contracts, property, records, and pending business of the State
15 Board as the school's authorizer must be transferred to the
16 Commission. Any charter school authorized by a local school
17 board or boards may seek transfer of authorization to the
18 Commission during its current term only with the approval of
19 the local school board or boards. At the end of its charter
20 term, a charter school authorized by a local school board or
21 boards must reapply to the board or boards before it may apply
22 for authorization to the Commission under the terms of this
23 amendatory Act of the 97th General Assembly.

24 On the effective date of this amendatory Act of the 97th
25 General Assembly, all rules of the State Board applicable to
26 matters falling within the responsibility of the Commission

1 shall be applicable to the actions of the Commission. The
2 Commission shall thereafter have the authority to propose to
3 the State Board modifications to all rules applicable to
4 matters falling within the responsibility of the Commission.
5 The State Board shall retain rulemaking authority for the
6 Commission, but shall work jointly with the Commission on any
7 proposed modifications. Upon recommendation of proposed rule
8 modifications by the Commission and pursuant to the Illinois
9 Administrative Procedure Act, the State Board shall consider
10 such changes within the intent of this amendatory Act of the
11 97th General Assembly and grant any and all changes consistent
12 with that intent.

13 (1) The Commission shall have the responsibility to
14 consider appeals under this Article immediately upon
15 appointment of the initial members of the Commission under
16 subsection (c) of this Section. Appeals pending at the time of
17 initial appointment shall be determined by the Commission; the
18 Commission may extend the time for review as necessary for
19 thorough review, but in no case shall the extension exceed the
20 time that would have been available had the appeal been
21 submitted to the Commission on the date of appointment of its
22 initial members. In any appeal filed with the Commission under
23 this Article, both the applicant and the school district in
24 which the charter school plans to locate shall have the right
25 to request a hearing before the Commission. If more than one
26 entity requests a hearing, then the Commission may hold only

1 one hearing, wherein the applicant and the school district
2 shall have an equal opportunity to present their respective
3 positions.

4 (105 ILCS 5/27A-7.10 new)

5 Sec. 27A-7.10. Authorizer powers and duties; immunity;
6 principles and standards.

7 (a) Authorizers are responsible for executing, in
8 accordance with this Article, all of the following powers and
9 duties:

10 (1) Soliciting and evaluating charter applications.

11 (2) Approving quality charter applications that meet
12 identified educational needs and promote a diversity of
13 educational choices.

14 (3) Declining to approve weak or inadequate charter
15 applications.

16 (4) Negotiating and executing sound charter contracts
17 with each approved charter school.

18 (5) Monitoring, in accordance with charter contract
19 terms, the performance and legal compliance of charter
20 schools.

21 (6) Determining whether each charter contract merits
22 renewal, nonrenewal, or revocation.

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

25 (c) Regulation by authorizers is limited to the powers and

1 duties set forth in subsection (a) of this Section and must be
2 consistent with the spirit and intent of this Article.

3 (d) An authorizing entity, members of the local school
4 board, or the Commission, in their official capacity, and
5 employees of an authorizer are immune from civil and criminal
6 liability with respect to all activities related to a charter
7 school that they authorize, except for willful or wanton
8 misconduct.

9 (e) The Commission and all local school boards that have a
10 charter school operating are required to develop and maintain
11 chartering policies and practices consistent with recognized
12 principles and standards for quality charter authorizing in all
13 major areas of authorizing responsibility, including all of the
14 following:

15 (1) Organizational capacity and infrastructure.

16 (2) Soliciting and evaluating charter applications.

17 (3) Performance contracting.

18 (4) Ongoing charter school oversight and evaluation.

19 (5) Charter renewal decision-making.

20 Authorizers shall carry out all their duties under this
21 Article in a manner consistent with nationally recognized
22 principles and standards and with the spirit and intent of this
23 Article.

24 (105 ILCS 5/27A-8)

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

1 (a) This Section does not apply to a charter school
2 established by referendum under Section 27A-6.5. In evaluating
3 any charter school proposal submitted to it, the local school
4 board and the Commission shall give preference to proposals
5 that:

6 (1) demonstrate a high level of local pupil, parental,
7 community, business, and school personnel support;

8 (2) set rigorous levels of expected pupil achievement
9 and demonstrate feasible plans for attaining those levels
10 of achievement; and

11 (3) are designed to enroll and serve a substantial
12 proportion of at-risk children; provided that nothing in
13 the Charter Schools Law shall be construed as intended to
14 limit the establishment of charter schools to those that
15 serve a substantial portion of at-risk children or to in
16 any manner restrict, limit, or discourage the
17 establishment of charter schools that enroll and serve
18 other pupil populations under a nonexclusive,
19 nondiscriminatory admissions policy.

20 (b) In the case of a proposal to establish a charter school
21 by converting an existing public school or attendance center to
22 charter school status, evidence that the proposed formation of
23 the charter school has received majority support from certified
24 teachers and from parents and guardians in the school or
25 attendance center affected by the proposed charter, and, if
26 applicable, from a local school council, shall be demonstrated

1 by a petition in support of the charter school signed by
2 certified teachers and a petition in support of the charter
3 school signed by parents and guardians and, if applicable, by a
4 vote of the local school council held at a public meeting. In
5 the case of all other proposals to establish a charter school,
6 evidence of sufficient support to fill the number of pupil
7 seats set forth in the proposal may be demonstrated by a
8 petition in support of the charter school signed by parents and
9 guardians of students eligible to attend the charter school. In
10 all cases, the individuals, organizations, or entities who
11 initiate the proposal to establish a charter school may elect,
12 in lieu of including any petition referred to in this
13 subsection as a part of the proposal submitted to the local
14 school board, to demonstrate that the charter school has
15 received the support referred to in this subsection by other
16 evidence and information presented at the public meeting that
17 the local school board is required to convene under this
18 Section.

19 (c) Within 45 days of receipt of a charter school proposal,
20 the local school board shall convene a public meeting to obtain
21 information to assist the board in its decision to grant or
22 deny the charter school proposal. A local school board may
23 develop its own process for receiving charter school proposals
24 on an annual basis that follows the same timeframes as set
25 forth in this Article. Only after the local school board
26 process is followed may a charter school applicant appeal to

1 the Commission.

2 (d) Notice of the public meeting required by this Section
3 shall be published in a community newspaper published in the
4 school district in which the proposed charter is located and,
5 if there is no such newspaper, then in a newspaper published in
6 the county and having circulation in the school district. The
7 notices shall be published not more than 10 days nor less than
8 5 days before the meeting and shall state that information
9 regarding a charter school proposal will be heard at the
10 meeting. Copies of the notice shall also be posted at
11 appropriate locations in the school or attendance center
12 proposed to be established as a charter school, the public
13 schools in the school district, and the local school board
14 office. If 45 days pass without the local school board holding
15 a public meeting, then the charter applicant may submit the
16 proposal to the Commission, where it must be addressed in
17 accordance with the provisions set forth in subsection (g) of
18 this Section.

19 (e) Within 30 days of the public meeting, the local school
20 board shall vote, in a public meeting, to either grant or deny
21 the charter school proposal. If the local school board has not
22 voted in a public meeting within 30 days after the public
23 meeting, then the charter applicant may submit the proposal to
24 the Commission, where it must be addressed in accordance with
25 the provisions set forth in subsection (g) of this Section.

26 (f) Within 7 days of the public meeting required under

1 subsection (e) of this Section, the local school board shall
2 file a report with the State Board granting or denying the
3 proposal. If the local school board has approved the proposal,
4 within ~~Within~~ 30 days of receipt of the local school board's
5 report, the State Board shall determine whether the approved
6 charter proposal is consistent with the provisions of this
7 Article and, if the approved proposal complies, certify the
8 proposal pursuant to Section 27A-6; ~~provided that for any~~
9 ~~charter proposal submitted to the State Board within one year~~
10 ~~after July 30, 2009 (the effective date of Public Act 96-105),~~
11 ~~the State Board shall have 60 days from receipt to determine~~
12 ~~such consistency and certify the proposal.~~

13 (g) If the local school board votes to deny the proposal,
14 then the charter school applicant has 30 days from the date of
15 that vote to submit an appeal to the Commission. In such
16 instances or in those instances referenced in subsections (d)
17 and (e) of this Section, the Commission shall follow the same
18 process and be subject to the same timelines for review as the
19 local school board.

20 (h) The Commission may reverse a local school board's
21 decision to deny a charter school proposal if the Commission
22 finds that the proposal (i) is in compliance with this Article
23 and (ii) is in the best interests of the students the charter
24 school is designed to serve. Final decisions of the Commission
25 are subject to judicial review under the Administrative Review
26 Law.

1 (i) In the case of a charter school proposed to be jointly
2 authorized by 2 or more school districts, the local school
3 boards may unanimously deny the charter school proposal with a
4 statement that the local school boards are not opposed to the
5 charter school, but that they yield to the Commission in light
6 of the complexities of joint administration.

7 (Source: P.A. 96-105, eff. 7-30-09; 96-734, eff. 8-25-09;
8 96-1000, eff. 7-2-10.)

9 (105 ILCS 5/27A-9)

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

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

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

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

21 (2) A financial statement that discloses the costs of
22 administration, instruction, and other spending categories
23 for the charter school that is understandable to the
24 general public and that will allow comparison of those
25 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 ~~State Board~~, as the chartering
4 entity, clearly demonstrates that the charter school did any of
5 the following, or otherwise failed to comply with the
6 requirements 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 ~~State Board~~, as the chartering entity, shall notify
19 the charter school in writing of the reason why the charter is
20 subject to revocation. The charter school shall submit a
21 written plan to the local school board or the Commission ~~State~~
22 ~~Board~~, whichever is applicable, to rectify the problem. The
23 plan shall include a timeline for implementation, which shall
24 not exceed 2 years or the date of the charter's expiration,
25 whichever is earlier. If the local school board or the
26 Commission ~~State Board~~, as the chartering entity, finds that

1 the charter school has failed to implement the plan of
2 remediation and adhere to the timeline, then the chartering
3 entity shall revoke the charter. Except in situations of an
4 emergency where the health, safety, or education of the charter
5 school's students is at risk, the revocation shall take place
6 at the end of a school year. Nothing in this amendatory Act of
7 the 96th General Assembly shall be construed to prohibit an
8 implementation timetable that 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 ~~State Board~~ may
13 reverse a local board's decision if the Commission ~~State Board~~
14 finds that the charter school or charter school proposal (i) is
15 in compliance with this Article, and (ii) is in the best
16 interests of the students it is designed to serve. The State
17 Board may condition the granting of an appeal on the acceptance
18 by the charter school of funding in an amount less than that
19 requested in the proposal submitted to the local school board.
20 Final decisions of the Commission ~~State Board~~ shall be subject
21 to judicial review under the Administrative Review Law.

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

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

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

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

1 (Source: P.A. 96-105, eff. 7-30-09.)

2 (105 ILCS 5/27A-12)

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

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

14 (2) The academic and financial performance of all
15 operating charter schools overseen by the authorizer,
16 according to the performance expectations for charter
17 schools set forth in this Article.

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

23 (4) The authorizing functions provided by the
24 authorizer to the charter schools under its purview,
25 including the authorizer's operating costs and expenses

1 detailed in annual audited financial statements, which
2 must conform with generally accepted accounting
3 principles. ~~Board shall compile annual evaluations of~~
4 ~~charter schools received from local school boards and shall~~
5 ~~prepare an annual report on charter schools.~~

6 ~~On or before the second Wednesday of every even numbered~~
7 ~~year, the State Board shall issue a report to the General~~
8 ~~Assembly and the Governor on its findings for the previous 2~~
9 ~~school years; provided that the report issued in 2010 need only~~
10 ~~report on the 2008-2009 school year.~~

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

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

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

12 (Source: P.A. 96-105, eff. 7-30-09.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.