

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section
5 27A-11 as follows:

6 (105 ILCS 5/27A-11)

7 Sec. 27A-11. Local financing.

8 (a) For purposes of the School Code, pupils enrolled in a
9 charter school shall be included in the pupil enrollment of the
10 school district within which the pupil resides. Each charter
11 school (i) shall determine the school district in which each
12 pupil who is enrolled in the charter school resides, (ii) shall
13 report the aggregate number of pupils resident of a school
14 district who are enrolled in the charter school to the school
15 district in which those pupils reside, and (iii) shall maintain
16 accurate records of daily attendance that shall be deemed
17 sufficient to file claims under Section 18-8 notwithstanding
18 any other requirements of that Section regarding hours of
19 instruction and teacher certification.

20 (b) Except for a charter school established by referendum
21 under Section 27A-6.5, as part of a charter school contract,
22 the charter school and the local school board shall agree on
23 funding and any services to be provided by the school district

1 to the charter school. Agreed funding that a charter school is
2 to receive from the local school board for a school year shall
3 be paid in equal quarterly installments with the payment of the
4 installment for the first quarter being made not later than
5 July 1, unless the charter establishes a different payment
6 schedule. However, if a charter school dismisses a pupil from
7 the charter school after receiving a quarterly payment, the
8 charter school shall return to the school district, on a
9 quarterly basis, the prorated portion of public funding
10 provided for the education of that pupil for the time the
11 student is not enrolled at the charter school. Likewise, if a
12 pupil transfers to a charter school between quarterly payments,
13 the school district shall provide, on a quarterly basis, a
14 prorated portion of the public funding to the charter school to
15 provide for the education of that pupil.

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

1 In no event shall the funding be less than 75% or more than
2 125% of the school district's per capita student tuition
3 multiplied by the number of students residing in the district
4 who are enrolled in the charter school.

5 It is the intent of the General Assembly that funding and
6 service agreements under this subsection (b) shall be neither a
7 financial incentive nor a financial disincentive to the
8 establishment of a charter school.

9 The charter school may set and collect reasonable fees.
10 Fees collected from students enrolled at a charter school shall
11 be retained by the charter school.

12 (c) Notwithstanding subsection (b) of this Section, the
13 proportionate share of State and federal resources generated by
14 students with disabilities or staff serving them shall be
15 directed to charter schools enrolling those students by their
16 school districts or administrative units. The proportionate
17 share of moneys generated under other federal or State
18 categorical aid programs shall be directed to charter schools
19 serving students eligible for that aid.

20 (d) The governing body of a charter school is authorized to
21 accept gifts, donations, or grants of any kind made to the
22 charter school and to expend or use gifts, donations, or grants
23 in accordance with the conditions prescribed by the donor;
24 however, a gift, donation, or grant may not be accepted by the
25 governing body if it is subject to any condition contrary to
26 applicable law or contrary to the terms of the contract between

1 the charter school and the local school board. Charter schools
2 shall be encouraged to solicit and utilize community volunteer
3 speakers and other instructional resources when providing
4 instruction on the Holocaust and other historical events.

5 (e) (Blank).

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

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

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

14 (Source: P.A. 90-548, eff. 1-1-98; 90-757, eff. 8-14-98;
15 91-407, eff. 8-3-99.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.