



Rep. Robert F. Martwick

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LRB098 17997 NHT 57182 a

1 AMENDMENT TO HOUSE BILL 4591

2 AMENDMENT NO. _____. Amend House Bill 4591 by replacing
3 everything after the enacting clause with the following:

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

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

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

23 All services centrally or otherwise provided by the school
24 district including, but not limited to, rent, food services,
25 custodial services, maintenance, curriculum, media services,
26 libraries, transportation, and warehousing shall be subject to

1 negotiation between a charter school and the local school board
2 and paid for out of the revenues negotiated pursuant to this
3 subsection (b); provided that the local school board shall not
4 attempt, by negotiation or otherwise, to obligate a charter
5 school to provide pupil transportation for pupils for whom a
6 district is not required to provide transportation under the
7 criteria set forth in subsection (a) (13) of Section 27A-7.

8 In no event shall the funding be less than 75% or more than
9 125% of the school district's per capita student tuition
10 multiplied by the number of students residing in the district
11 who are enrolled in the charter school.

12 It is the intent of the General Assembly that funding and
13 service agreements under this subsection (b) shall be neither a
14 financial incentive nor a financial disincentive to the
15 establishment of a charter school.

16 The charter school may set and collect reasonable fees.
17 Fees collected from students enrolled at a charter school shall
18 be retained by the charter school.

19 (c) Notwithstanding subsection (b) of this Section, the
20 proportionate share of State and federal resources generated by
21 students with disabilities or staff serving them shall be
22 directed to charter schools enrolling those students by their
23 school districts or administrative units. The proportionate
24 share of moneys generated under other federal or State
25 categorical aid programs shall be directed to charter schools
26 serving students eligible for that aid.

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

12 (e) (Blank).

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

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

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

21 (Source: P.A. 90-548, eff. 1-1-98; 90-757, eff. 8-14-98;
22 91-407, eff. 8-3-99.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law."