



Rep. André Thapedi

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LRB099 15850 NHT 46692 a

1 AMENDMENT TO HOUSE BILL 5918

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

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

6 (105 ILCS 5/27A-9)

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

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

1 renewed on or after the effective date of this amendatory Act
2 of the 99th General Assembly, a charter may be renewed in
3 incremental periods not to exceed 10 school years, but a
4 charter school must meet all standards for academic,
5 organizational, and financial performance set forth by the
6 authorizer in order for the charter to be renewed for a full
7 term of 10 years.

8 (b) A charter school renewal proposal submitted to the
9 local school board or the Commission, as the chartering entity,
10 shall contain:

11 (1) A report on the progress of the charter school in
12 achieving the goals, objectives, pupil performance
13 standards, content standards, and other terms of the
14 initial approved charter proposal; and

15 (2) A financial statement that discloses the costs of
16 administration, instruction, and other spending categories
17 for the charter school that is understandable to the
18 general public and that will allow comparison of those
19 costs to other schools or other comparable organizations,
20 in a format required by the State Board.

21 (c) A charter may be revoked or not renewed if the local
22 school board or the Commission, as the chartering entity,
23 clearly demonstrates that the charter school did any of the
24 following, or otherwise failed to comply with the requirements
25 of this law:

26 (1) Committed a material violation of any of the

1 conditions, standards, or procedures set forth in the
2 charter.

3 (2) Failed to meet or make reasonable progress toward
4 achievement of the content standards or pupil performance
5 standards identified in the charter.

6 (3) Failed to meet generally accepted standards of
7 fiscal management.

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

10 In the case of revocation, the local school board or the
11 Commission, as the chartering entity, shall notify the charter
12 school in writing of the reason why the charter is subject to
13 revocation. The charter school shall submit a written plan to
14 the local school board or the Commission, whichever is
15 applicable, to rectify the problem. The plan shall include a
16 timeline for implementation, which shall not exceed 2 years or
17 the date of the charter's expiration, whichever is earlier. If
18 the local school board or the Commission, as the chartering
19 entity, finds that the charter school has failed to implement
20 the plan of remediation and adhere to the timeline, then the
21 chartering entity shall revoke the charter. Except in
22 situations of an emergency where the health, safety, or
23 education of the charter school's students is at risk, the
24 revocation shall take place at the end of a school year.
25 Nothing in this amendatory Act of the 96th General Assembly
26 shall be construed to prohibit an implementation timetable that

1 is less than 2 years in duration.

2 (d) (Blank).

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

15 (f) Notwithstanding other provisions of this Article, if
16 the Commission on appeal reverses a local board's decision or
17 if a charter school is approved by referendum, the Commission
18 shall act as the authorized chartering entity for the charter
19 school. The Commission shall approve the charter and shall
20 perform all functions under this Article otherwise performed by
21 the local school board. The State Board shall determine whether
22 the charter proposal approved by the Commission is consistent
23 with the provisions of this Article and, if the approved
24 proposal complies, certify the proposal pursuant to this
25 Article. The State Board shall report the aggregate number of
26 charter school pupils resident in a school district to that

1 district and shall notify the district of the amount of funding
2 to be paid by the State Board to the charter school enrolling
3 such students. The Commission shall require the charter school
4 to maintain accurate records of daily attendance that shall be
5 deemed sufficient to file claims under Section 18-8.05
6 notwithstanding any other requirements of that Section
7 regarding hours of instruction and teacher certification. The
8 State Board shall withhold from funds otherwise due the
9 district the funds authorized by this Article to be paid to the
10 charter school and shall pay such amounts to the charter
11 school.

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

15 (h) For charter schools authorized by the Commission, the
16 State Board shall pay directly to a charter school any federal
17 or State aid attributable to a student with a disability
18 attending the school.

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

20 (105 ILCS 5/27A-11.5)

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

24 (1) From a separate appropriation made to the State
25 Board for purposes of this subdivision (1), the State Board

1 shall make transition impact aid available to school
2 districts that approve a new charter school or that have
3 funds withheld by the State Board to fund a new charter
4 school that is chartered by the Commission. The amount of
5 the aid shall equal 90% of the per capita funding paid to
6 the charter school during the first year of its initial
7 charter term, 65% of the per capita funding paid to the
8 charter school during the second year of its initial term,
9 and 35% of the per capita funding paid to the charter
10 school during the third year of its initial term. This
11 transition impact aid shall be paid to the local school
12 board in equal quarterly installments, with the payment of
13 the installment for the first quarter being made by August
14 1st immediately preceding the first, second, and third
15 years of the initial term. The district shall file an
16 application for this aid with the State Board in a format
17 designated by the State Board. If the appropriation is
18 insufficient in any year to pay all approved claims, the
19 impact aid shall be prorated. However, for fiscal year
20 2004, the State Board of Education shall pay approved
21 claims only for charter schools with a valid charter
22 granted prior to June 1, 2003. If any funds remain after
23 these claims have been paid, then the State Board of
24 Education may pay all other approved claims on a pro rata
25 basis. Transition impact aid shall be paid beginning in the
26 1999-2000 school year for charter schools that are in the

1 first, second, or third year of their initial term.
2 Transition impact aid shall not be paid for any charter
3 school that is proposed and created by one or more boards
4 of education, as authorized under the provisions of Public
5 Act 91-405.

6 (2) From a separate appropriation made for the purpose
7 of this subdivision (2), the State Board shall make grants
8 to charter schools to pay their start-up costs of acquiring
9 educational materials and supplies, textbooks, electronic
10 textbooks and the technological equipment necessary to
11 gain access to and use electronic textbooks, furniture, and
12 other equipment or materials needed during their initial
13 term. The State Board shall annually establish the time and
14 manner of application for these grants, which shall not
15 exceed \$750 ~~\$250~~ per student enrolled in the charter
16 school.

17 (3) The Charter Schools Revolving Loan Fund is created
18 as a special fund in the State treasury. Federal funds,
19 such other funds as may be made available for costs
20 associated with the establishment of charter schools in
21 Illinois, and amounts repaid by charter schools that have
22 received a loan from the Charter Schools Revolving Loan
23 Fund shall be deposited into the Charter Schools Revolving
24 Loan Fund, and the moneys in the Charter Schools Revolving
25 Loan Fund shall be appropriated to the State Board and used
26 to provide interest-free loans to charter schools. These

1 funds shall be used to pay start-up costs of acquiring
2 educational materials and supplies, textbooks, electronic
3 textbooks and the technological equipment necessary to
4 gain access to and use electronic textbooks, furniture, and
5 other equipment or materials needed in the initial term of
6 the charter school and for acquiring and remodeling a
7 suitable physical plant, within the initial term of the
8 charter school. Loans shall be limited to one loan per
9 charter school and shall not exceed \$750 ~~\$250~~ per student
10 enrolled in the charter school. For the purposes of this
11 subdivision (3), an additional charter school campus of a
12 replicating charter school is eligible to receive a loan.
13 If a charter school is located in a building owned by its
14 school district, the State Board shall award 10% of the
15 loan for that charter school to the district. The State
16 Board may prioritize awarding loan funds to charter schools
17 located in buildings owned by their school district. A loan
18 shall be repaid by the end of the initial term of the
19 charter school. The charter school is responsible for
20 repaying only the loan amount that the charter school
21 received. The State Board may deduct amounts necessary to
22 repay the loan from funds due to the charter school or may
23 require that the local school board that authorized the
24 charter school deduct such amounts from funds due the
25 charter school and remit these amounts to the State Board,
26 provided that the local school board shall not be

1 responsible for repayment of the loan except for that
2 portion of the loan, if any, the State Board awarded
3 directly to the school district. The State Board may use up
4 to 3% of the appropriation to contract with a non-profit
5 entity to administer the loan program.

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

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

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."