Illinois State Charter School Commission

FREQUENTLY ASKED QUESTIONS

January 2015
Responses to these Frequently Asked Questions are non-regulatory and advisory only. Charter schools and charter authorizers are encouraged to examine the laws and regulations that are the foundation for these responses and seek independent legal counsel regarding the application of any of these items to a specific situation.

General Charter School FAQ

1. **What is a charter school?**
2. **What state laws authorize charter schools?**
3. **Why was the Illinois Charter Schools Law enacted?**
4. **How are charter schools created?**
5. **How are charter schools monitored and judged?**
6. **What are the audit and financial reporting requirements for charter schools?**
7. **Under what circumstances could a school's charter be revoked?**

The Illinois State Charter School Commission

8. **What is the Illinois State Charter School Commission?**
9. **What does the Commission do?**
10. **How many appeals has the Commission decided and what were the outcomes?**
11. **Who are the Commissioners on the State Charter School Commission?**
12. **Does the Commission currently serve as authorizer any schools?**
13. **When does the district serve as an authorizer and when does the Commission serve as an authorizer?**
14. **Does the Commission have materials that can assist local school districts develop best practices for authorizing charter schools?**
15. **Does the Commission have a staff?**
16. **How do I contact the Commission?**
17. **Does the Commission have regular meetings?**

Starting a Charter School in Illinois

18. **Who authorizes charter schools in the State of Illinois?**
19. **Does Illinois have a cap on the number of charter schools allowed at one time?**
20. **How many charter schools are there currently in Illinois?**
21. **Who is eligible to organize a charter school in Illinois?**
22. **What is the process to start a charter school in Illinois?**
23. **What other organizations are associated with charter schools in Illinois?**
24. **Where can I find more information on charter schools?**
General Charter School FAQ

1. **What is a charter school?**

A charter school is a public school that operates under a contract, or charter, entered into between the school's organizer and a charter school authorizer. Like other public schools, charter schools are open to all students in the district and are tuition-free.

Charter schools are subject to the same State goals, standards, and assessments that other public schools are subject to, but they are given greater freedoms as well. Charter schools are released from certain requirements in order to give them the independence to take responsible risks and create new, innovative ways of educating children within the public school system. In exchange for this freedom, charter schools are expected to have high rigorous standards for student performance.

2. **What state laws authorize charter schools?**

Charter schools exist by virtue of state law. The first charter school law in Illinois was passed in 1996. It has subsequently been amended and the most recent version can be found under Article 27A of the School Code. The Illinois State Board of Education website also provides a useful overview of other Illinois laws applicable to Illinois charter schools.

3. **Why was the Illinois Charter Schools Law enacted?**

According to Section 27A-2 of the Illinois Charter Schools Law, charter schools are authorized in the State of Illinois in order to:

- Improve pupil learning by creating schools with high, rigorous standards for pupil performance
- Increase learning opportunities for all pupils, with special emphasis on at-risk students but with an equal commitment to expanding opportunities for all groups
- Foster the development of new, different, or alternative forms for measuring student learning and achievement
- Provide parents and students with expanded choices within the public school system

4. **How are charter schools created?**

Charter schools are created when a local school district or the Illinois State Charter School Commission approves a charter school applicant. The approved charter school then enters into a contract with the district or Commission that delineates the obligations of the school and the authorizer (usually for a renewable 5-year term). The contract is generally more narrow and binding than a charter school proposal. Once the contract is completed, it is submitted for certification to the Illinois State Board of Education. The State Board must respond within 30 days, either by certifying the contract or by raising questions that must be addressed before the contract can be certified.

5. **How are charter schools monitored and judged?**

Charter schools are subject to renewal per their contract, usually every five years. Section 27A-7.10 states that charter school authorizers are responsible for monitoring, in accordance with the charter contract terms, the performance and legal compliance of charter schools and determining whether each charter contract merits renewal, nonrenewal, or revocation. Pursuant to Section 27A-6, charter schools participate in, and are held accountable for, a variety of educational assessments.
accountable to, all State goals, standards and assessments.

When evaluating charter schools’ performance, authors generally look to see that students within the charter school are performing at a higher level than the district or state standard. A quality public charter school must meet rigorous academic, fiscal and managerial standards, which are set by their authorizer, usually before the contract is finalized.

6. What are the audit and financial reporting requirements for charter schools?

Under Section 27A-5(f) of the Illinois Charter Schools Law, a charter school is responsible for the management and operation of its fiscal affairs. To ensure that existing charter schools are economically sound, charter schools must annually submit the results of an outside, independent audit to their authorizer, who reviews these audits to assure compliance.

7. Under what circumstances could a school’s charter be revoked?

Under Section 27A-9, a charter may be revoked or not renewed if its authorizer demonstrates that the charter school committed a material violation of its contract; failed to meet or make reasonable progress towards student performance goals; failed to meet generally accepted standards of fiscal management; or violated a provision of the law. The law provides that except in situations of emergency where the health, safety, or education of charter school students is at risk, the revocation of a charter should take place at the end of a school year.

The Illinois State Charter School Commission

8. What is the Illinois State Charter School Commission?

The Illinois State Charter School Commission was created as part of the Charter School Quality Act (SB 79) and signed into law in July 2011. Under the law, the Commission is established as an independent commission with “statewide chartering jurisdiction and authority.”

9. What does the Commission do?

The Commission is the independent charter authorizing body for the State of Illinois. The Commission considers appeals of charter school proposals and renewal applications that have been denied, revoked, or not renewed by a local school board. On appeal, the Committee may authorize high-quality charter school applications and/or deny inadequate proposals and renewal applications.

The Commission also monitors the performance and legal compliance of charter schools authorized by the Commission and determines if each school merits renewal, nonrenewal, or revocation. The Commission currently serves as an authorizer for four existing schools in Illinois.

Additionally, Illinois Charter Schools Law charges the Commission with developing model
practices for charter school authorizing and sharing those practices with school districts throughout Illinois. As required under Section 27A-7.5, every two years the Commission will provide the State Board and local school boards with a report on best practices in charter school authorizing. To read the Commission’s most recent biennial report click here.

10. How many appeals has the Commission decided and what were the outcomes?

From November 1, 2011 – December 31, 2014, the Commission received 39 appeals. The Commission granted two appeals in March 2013, authorizing two new K-12 Concept Schools in Chicago, denied one appeal (Pathways) in March 2013 and another (Elgin) in October 2014. The remaining 35 appeals were all withdrawn, either before or after the Commission’s interview process. For more information, see Summary of Appeals. To read the decisions by the Commission granting the Concept appeal and denying the Pathway appeal click here.

11. Who are the Commissioners on the State Charter School Commission?

The nine State Charter Schools Commissioners are leaders from across Illinois who bring a diverse set of backgrounds to the Commission, with experience as charter school authorizers, founders, and board members as well as superintendents, community leaders, school business officials, and teachers. Pursuant to State Law, the Governor nominates a slate of candidates and from this slate the State Board of Education appoints the Commissioners.

The following members are currently serving staggered 4-year terms:

- Commission Chair: Greg Richmond, President & CEO, National Association of Charter School Authorizers, Chicago (2015)
- Bill Farmer, Teacher and Local Education Association President, Evanston High School, Evanston (2018)
- Jaime Guzman, Executive Director, The Taproot Foundation, Chicago (2017)
- Angela Rudolph, Executive Director, Hadiya’s Promise and President, T.P.D. Consulting, Chicago (2018)
- DeRonda Williams, Principal, DW Inc., Long Grove (2017)
- Sylvia Zaldivar, Executive Director, Maestro Cares, Arlington Heights (2018)

Full Commissioner bios are available on the Commission’s website.

12. Does the Commission currently serve as an authorizer for any schools?


Located in Grayslake, Prairie Crossing Charter School has been in operation since 1999 and
serves 391 children in grades K – 8 from the Fremont (#79) and Woodland (#50) school districts. Prairie Crossing’s innovative academic curriculum is centered on the environment and students spend part of each day outdoors, learning experientially from nature. Students’ test scores at Prairie Crossing have surpassed state achievement levels for the past two years and the charter school has received several awards, including the National Green Ribbon Award in 2012. The Commission renewed its charter in April, 2014

Southland College Prep Charter High School, in Richton Park, has been in operation since 2010 and serves almost 500 students in grades 9 – 12. Students at Southland must take four years of English, math, science, social studies, world language, technology, fine arts, and physical education in order to ensure students receive a well-rounded education and are fully prepared for college.

On March 19, 2013 the Commission authorized Concept Schools to establish two Horizon Science Academy Charter Schools. One of the schools, Horizon Science Academy Charter School-McKinley Park, opened with 432 students in grades K-8 on Pershing Road in Chicago. The second school, Horizon Science Academy Charter School-Belmont, opened with 288 students in grades K-5 on North Avenue in North Austin. At capacity, the schools will each serve 725 children in grades K-12. The schools will aim to provide students with a "STEM college preparatory" education that has a science, technology, engineering, and math focus.

For more information on schools authorized by the Commission, see the Commission’s website.

13. When does a district serve as an authorizer and when does the Commission serve as an authorizer of a Charter School in Illinois?

Under Illinois law, Section 27A-7, charter school proposals must be initially submitted to a local school district for review. If the district approves the charter school application, the district then becomes the authorizer for the new school.

Further, in the case of district denial or inaction, an applicant may appeal to the Commission. Should the Commission decide in favor of the charter school applicant, the Commission would become the authorizer of the new school.

Additionally, under Section 27A-7.5 of the Illinois Charter Schools Law, any existing charter school authorized by a local school board may seek transfer of authorization to the Commission at the time of renewal with the approval of the school district. In the case of a new charter school proposing to be authorized by two or more districts, Section 27A-8 allows districts to "yield" an application to the Commission in light of the complexities of joint administration. Lastly, under Section 27A-6.5 of the Illinois Charter Schools Law, 5% or more of the voters in a school district may initiate a referendum on the creation of a new charter school in their district. If the majority of the votes cast were in favor of establishing a charter school, then the Commission would become that school’s authorizer.

14. Does the Commission have materials that can assist local school districts in developing best practices for authorizing charter schools?

The Commission has developed several tools for districts, including a model request for charter school proposals (RFP), a model renewal application and a set of rubrics and guidance documents that assist in the review of both initial and renewal applications. These plus other resources on charter school accountability are posted on the
Does the Commission have a staff?

The Commission has hired experienced professional staff to manage its operations. For bios and contact information see the Commission’s website.

How do I contact the Commission?

You can reach the Commission by phone at 312-814-1258 or by email at jeanne.nowaczewski@illinois.gov. The Commission is located in the Michael A. Bilandic Building, 160 North LaSalle Street, Suite S-601, Chicago, IL 60601. Additional information can be found on the Commission’s website.

Does the Commission have regular meetings?

The Commission meets most months at locations throughout Illinois. The schedule for upcoming meetings, as well as the minutes from past meetings, are posted on the Commission’s website. The Commission also holds public hearings in response to appeals; information on public hearings will be posted to the Commission website when such hearings are scheduled. Occasionally, the Commission holds other public hearings on issues such as rules amendments. For the most updated schedule, check the Commission home page.

Starting a Charter School in Illinois

Who authorizes charter schools in the State of Illinois?

Under Section 27A of the School Code, new charter school applications must be submitted to local school boards for authorization. If the local school board grants the charter application, the school board becomes the authorizer of the school. Charter schools that are denied by their school board but then approved by the Commission on appeal are authorized by the Commission.

Illinois Charter Schools Law also designates the Commission as authorizer in several other special cases:

- An existing charter school, with the approval of the school district board, may seek transfer of authorization to the Commission.
- Districts may yield an application that proposes to be authorized by two or more districts to the Commission in light of the complexities of joint administration.
- Under Section 27A-6.5 of the Illinois Charter Schools Law, 5% or more of the voters in a school district may initiate a referendum on the creation of a new charter school in their district. If the majority of the votes cast are in favor of establishing a charter school, then the Commission would become that school’s authorizer.

Does Illinois have a cap on the number of charter schools allowed at one time?

Yes. Under Section 27A-4 of the most recently amended law, currently, in Chicago, no more than 70 public charter schools and no more than 5 alternative public charter schools
(devoted exclusively to re-enrolled high school dropouts and/or students at risk of dropping out) may be authorized. Schools granted charters prior to 2003 are allowed to create multiple campuses within Chicago under a single charter. In the rest of Illinois, a cap of 45 charters currently exists outside of Chicago for the entire State.

20. How many charter schools are there currently in Illinois?

As of the fall, 2014 a total of 66 charter schools were either opened or approved to open. Of this total there were 54 charter schools in Chicago, (with 136 campuses) authorized by Chicago (District 299). Thus, there are 21 charters remaining for Chicago. There are 14 charter schools in the rest of the State outside of Chicago, with 31 charters remaining under the cap. For more information about charter schools in Illinois, see the Illinois State Board of Education’s 2010-2011 Illinois Charter School Biennial Report.

21. Who is eligible to organize a charter school in Illinois?

Anyone may file a proposal to start a charter school. Under Section 27A-5 of Illinois law, charter schools must be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois. Additionally, in order to be approved, charter school applications must demonstrate a high level of leadership and quality that meets all specifications under the Illinois law. According to the Illinois Network of Charter Schools, successful charter school proposals typically require a year-long exploration process where applicants gather background information, assemble a school design team and framework, and ascertain where a charter will fit into a community. Applicants then usually spend an additional 5-7 months drafting their proposal, presenting to their local school board, and getting their charter approved.

22. What is the process to start a charter school in Illinois?

Procedures for submitting a proposal vary by district; before beginning the process of starting a new charter school, applicants should first contact the school district, to determine if the district has established a timeline and/or an RFP process. Across the state, charter school proposals must include the 15 items enumerated by the Illinois legislature in Section 27A-7 of the School Code.

These fifteen items include the following:

1. The name of the proposed school
2. The grade range, areas of focus, and minimum and maximum numbers of students
3. A description of and address for the physical plant in which the school will be located
4. The mission statement of the charter school
5. The school’s goals, objectives, and performance standards
6. In the case of a proposal to convert an existing public school, evidence that the proposed charter school has received the approval of certified teachers, parents and guardians.
7. A description of the school's curriculum, school year, school days, and school hours
8. A description of the charter school's plan for evaluating pupil performance
9. “Evidence that the terms of the charter are economically sound for both the school and district and a proposed budget”
10. A description of the governance and operation of the charter school
11. An explanation of the relationship that will exist between the school and its employees
12. An agreement between the parties regarding their legal liability and insurance coverage
13. A description of how the school plans to meet the transportation needs of its students
14. The proposed effective date and term of the charter
15. Any other information reasonably required by the State Board of Education or the Commission.

Section 27A-9 lists an additional 16th factor for consideration on appeal to the Commission: the applicants must show that the charter school “is in the best interests of the students the charter school is designed to serve.” The Commission on appeal will look to the additional 16th factor; applicants will benefit from building a consideration of the 16th factor into their applications from the beginning.

Starting a charter school also requires assembling a team of educators and board members that usually includes contributors with expertise in law, real estate, budgeting, fundraising, and curriculum. Most design teams have 8 – 15 members; under charter design best practice, members are usually divided into subcommittees such as curriculum, governance, facilities, finance, and student and parent engagement.

Successful applicants work with the communities where they plan to establish a school to ensure that the school best serves families from that community. Thoughtful applicants also show a respect for the strengths and possibilities that come from creating a diverse school team that reflects the diversity of the community.

There are many resources online for individuals seeking to open new schools. For a helpful initial overview, see the Illinois Network of Charter School’s toolkit, *Paving a New Path: A Guidebook for Illinois Charter Public School Development*.

33. What other organizations are associated with charter schools in Illinois?

There are many organizations associated with Illinois charter schools.

The National Association of Charter School Authorizers, headquartered in Chicago, works with charter school authorizers nationally to develop and maintain high standards for charter school authorizing.

Regionally, several districts in Illinois have or have had organizations that promote charter schools in their areas, including The Peoria Charter School Initiative.

Other organizations work specifically to increase the number of charter schools in Illinois and to support new charter school applicants. The Illinois Network of Charter Schools seeks to promote and strengthen charter schools throughout Illinois by providing charter school advocacy, school support, education, and assistance with new charter schools. The Alain Locke Initiative’s Ryan Fellowship prepares outstanding teachers to become Illinois charter school principals. Advance Illinois is an Illinois policy organization that works specifically with charter school policy. Advance Illinois strives to improve the Illinois public education system through research and implementation of policy priorities that promote a school system that prepares all students for work, college, and democratic citizenship.

The National Alliance for Public Charter Schools, headquartered in Washington D.C., is a national advocacy organization the provides assistance to state charter school associations and resource centers, lobbies for charter school policy priorities, and publishes research and report on charter school performance and best practice.
34. Where can I find more information on charter schools in Illinois?

Those interested in continuing their research on charter schools can find more details in the Illinois State Board of Education and the Commission’s Administrative Rules and in the Illinois State Charter Schools Law. For non-regulatory guidance, interested parties may also read the Commission’s Instructions to Parties on Appeal.


Dated: January 15, 2015