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FEATURE ARTICLE

Illinois Gets New Statewide Charter School Commission; Districts Remain Applicants' Starting Place

By John Bray, National Charter School Resource Center

Illinois passed its charter school law in 1996. Growth in the number of schools has occurred mainly in Chicago, where there are 38 charter schools spread over 104 campuses that enroll about 40,000 students, or 10 percent of all students. Fourteen charter schools operate elsewhere in the state, the most recent addition opening for the 2011–12 school year. The state has a cap of 120 charter schools, with a provision for a limited number of additional schools that serve as reenrollment schools for dropouts.

Charter School Commission

The new state Charter School Commission resulted from enactment of state Senate Bill 79. In Illinois, only school districts are allowed to authorize charter schools. A key role of the commission will be to hear appeals from charter school applicants who are turned down by districts, a job that had been left to the Illinois State Board of Education, which has authorized three charter schools, one of which has closed. The commission also will be able to authorize charter schools that would serve multiple school districts and take over authorization of charter schools if the charter school and its authorizer agree to it. No money was appropriated by the state to fund the commission, although it is allowed to accept grants and donations. The commission can charge a three percent administrative fee of any charter school it authorizes.

“Effectively, there was no recourse for someone who wanted to start a charter school in a district that was philosophically anti-charter,” said Stacy McAuliffe, Chief Operating Officer of the [Illinois Network of Charter Schools](#) (INCS). While appeals technically were the job of the Illinois State Board of Education, “it wasn’t part of what they really did,” McAuliffe said. Starting a charter school that will serve multiple districts should be easier now. “It’s perfectly reasonable that kids from multiple districts might attend a school in one location,” McAuliffe said. Todd Ziebarth, a member of a task force that produced a [report](#) in 2010 on the need for a statewide authorizing entity, said he anticipates the commission’s specific focus on charter schools will push school districts to take their job as authorizers more seriously. Illinois ranks [30th](#) among the states for how faithfully its law reflects the National Alliance for Public Charter Schools (NAPCS) model law.

Jennifer Saba, charter school specialist and legal adviser to the counsel for the Illinois State Board of Education, said another wrinkle of the law is that it formalizes that charter schools authorized by the state are designated local education agencies (LEA), which means they act as their own district. The status influences issues such as eligibility for certain types of grants and responsibility for special education services. Funding is provided directly to the schools from the state, not through the district.

Charter schools are the subject of a biannual report by the Illinois State Board of Education. The 2010 [report](#) included a broad range of data, including performance on the Adequate Yearly Progress (AYP) standard of the Elementary and Secondary Education Act (ESEA) reauthorized as No Child Left Behind (NCLB).

Funding Illinois Charters

Wide latitude exists for funding Illinois charter schools, which are to receive 75 percent to 125 percent of the local school district's per capita amount, according to state [law](#).

The Chief Executive Officer of Robertson Charter School in Decatur, Illinois, G. E. Livingston, said the circumstances of charter school funding are complex and vary by location. His school, a PK–8 school of about 340 students, gets 100 percent funding from the school district. “In some areas, the school districts, depending on how progressive they are regarding charters, partner with them a little bit more,” said Livingston, whose school has made AYP for the past seven years. Part of the funding bargain at his school was recognition of serving an enrollment of nearly 90 percent high-need students and providing transportation with a fleet of eight buses that pick up citywide without charge. “It would be impossible to provide the transportation piece without getting 100 percent,” Livingston said. About 90 percent of the school's students take the buses.

Even with 100 percent funding, it is tough to make ends meet, according to Livingston, who said the school does not receive facilities funding from the district. The school opened in 3,000 square feet of former office space, which was gutted to form classrooms. The school's current location, which had been a district school, was purchased from a construction trades training organization about five years ago and has been renovated. “In all of those progressions, we didn't get any facility funding,” said Livingston. He joined the school shortly after it opened nearly 11 years ago and is now working on a plan to develop a high school program involving a local community college.

In September 2011, Governor Pat Quinn called attention to a \$27 million investment by the state in building the United Neighborhood Organization's (UNO's) Soccer Academy Elementary School, UNO's newest charter school in Chicago. According to the [announcement](#), the school integrates soccer with a traditional curriculum.

Funding for Illinois through the federal Charter Schools Program State Educational Agency grants program has totaled about \$21.3 million since 1996. But the last three-year grant came in 2007, and the state's most recent application was turned down.

McAuliffe said the loss of the federal program funding provided to the state for subgrants was “a bit of a blow to the charter sector.” But individuals have been able to apply directly for federal support through the federal **Charter Schools Program**. In October 2011, the U.S. Department of Education announced \$4.8 million in grants for individual charter school planning, start-up, and dissemination of best practices projects, including nine grants in Illinois totaling about \$1.6 million.

Illinois Charter Performance

Many charter schools have proven their worth. INCS released a statement in September noting that 2011 scores on the ACT, the main college admission examination in Illinois, showed all but one of the top 10 performing open enrollment high schools in Chicago were charter schools. Charter schools are “disproportionately represented among the best schools in the city, and there are also a few that are really struggling, and we’ll be the first to say that those schools need to really work on improving,” McAuliffe said.