



# Illinois State Board of Education

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Chairman

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State Superintendent of Education

## How to Start a Charter School in Illinois

- 1.) **Register as a 501 c(3)** A charter school must be organized and operated as a not-for-profit corporation, also known as a 501 c(3), "or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois." [105 ILCS 5/27A-5\(a\).](#)
- 2.) **Submit your charter proposal.** The State Board of Education does not have a required format that must be followed in drafting a charter school application. However, a charter shall include fifteen requirements per Illinois Charter School Law, which can be found in [105 ILCS 5/27A-7.](#)

Submit a proposal to the school district or districts from which you plan to enroll students. Please note, no charter shall be granted under this Article that would convert any existing private, parochial, or non-public school to a charter school. [105 ILCS 5/27A-4\(c\).](#)

If the school district conducts a formal RFP process, it must be followed in order for your application to be considered. [105 ILCS 5/27A-8\(c\).](#) If the school district does not have a formal RFP process for accepting and reviewing applications, you may submit your charter proposal at any time.

As it stands, Chicago Public Schools (CPS) is the only school district in Illinois that issues a formal RFP process.

By statute, the local school board will have 45 days from the date of receipt of your proposal to hold a public meeting to gather more information about the proposal, and an additional 30 days from that meeting to vote whether to approve or deny the application. [105 ILCS 5/27A-8\(c\) through \(e\).](#)

- 3.) **Charter application approved?** Once a charter school application is approved, each applicant will establish a binding contract and agreement between the charter school and the local school board in which:
  - i. The school board authorizes the charter school to operate on the terms agreed in the contract [105 ILCS 5/27A-6 \(a\)](#)
  - ii. Both parties include provisions on how they will address contract violations [105 ILCS 5/27A-6 \(c-5\)](#)
  - iii. Negotiate funding from district, which will consist of a percentage of the district's per capita tuition charge (75%-125%) multiplied by the number of students residing in the school district who are enrolled in the charter school. [105 ILCS 5/27A-11 \(b\)](#)

The proposed contract and supporting documentation between the charter school and local school board must be submitted to and certified by the State Board before it can take effect.  
[105 ILCS 5/27A-6 \(d\)](#)

- 4.) Charter application denied?** If a local school board denies your charter application or fails to consider and vote on it within the timeframe required by [105 ILCS 5/27A-8 \(c\)](#), you can appeal that decision to the IL State Charter Commission, an independent state commission with statewide chartering jurisdiction and authority

If the Commission determines to overturn the local school board's decision, they will become the authorizer and the school will be considered as its own school district, with no formal relationship to the school district from which it draws its students.

For additional information, please contact Deputy Director of the State Charter School Commission Shenita Johnson at [312-814-1258](#).

### **Resources**

- CPS District 299, Office of New Schools website. See <http://cps.edu/NewSchools/Pages/RFP2017.aspx>
- A sample template for a charter agreement between CPS District 299 and its charter schools can be accessed here: <http://www.cps.edu/NewSchools/Documents/CharterSchoolAgreement.pdf>.
- The legal requirements for items that must be included in any charter proposal and contract are addressed in [\(105 ILCS 5/27A-7\)](#)
- INCS website [www.incschools.org](http://www.incschools.org) . INCS is a membership organization of charter schools, and they work with charter school development teams to prepare and submit successful charter school applications.
- INCS "Charter Starter" program information is available at <https://www.incschools.org/start-a-charter/charter-starter-consulting/>. Contact either Allison Jack or Anne Levy Brown at [312-629-2063](#) for additional information.