



SCHOOL CHOICE MATTERS

Illinois Policy Report

Introduction

PURPOSE

A combination of well-designed policies give all students access to the broadest range of educational opportunities, including key core policies and helpful policy enhancers. The purpose of this document is to provide insight to how well your state is doing at implementing the Ecosystem of School Choice Policies. This state report summarizes evidence across the seven policy buckets, with each policy component detailed in individual cells.

CORE POLICIES

Key policies expand student opportunities.



[Open Enrollment](#)



[Charter Schools](#)



[Private School Choice](#)



[Homeschooling](#)

POLICY ENHANCERS

Supporting policies enhance those opportunities.



[Part-time Enrollment/Course Access](#)



[Learn Everywhere](#)



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CORE POLICIES



Open Enrollment in Illinois

POLICY	RATING	POLICY OVERVIEW
<p>Transfers Between Districts</p>	<p>LIMITED</p> <p>Sending and/or receiving districts have discretion over transfers</p>	<p>Illinois Statute explains that school districts are not required to admit new students who are transferring from another school district, unless the student can produce a standard form from the student’s previous school district enrollment.</p> <p>(105 ILCS 5/2-3.13a School records; transferring students; see ISBE, Student Transfer Form)</p>
<p>Transfers Within Districts</p>	<p>LIMITED</p> <p>School officials can block transfers</p>	<p>Illinois Statute requires school boards to establish and implement policies governing the transfer of students from one school to another within the school district.</p> <p>Students may not transfer if:</p> <ul style="list-style-type: none"> • The attendance center does not have capacity; • The attendance center has established academic criteria for enrollment that the student does not meet; • The transfer would prevent the district from meeting obligations under state or federal law, court order, or consent decree. <p>This Statute also provides for policies governing transfer of students to another public school in the district from a persistently dangerous school. Students may also transfer if they were the victim of a violent crime on school grounds, during regular school hours, or during a school-sponsored event.</p> <p>(105 ILCS 5/10-21.3a Transfer of students)</p>

<p>Year-round Transfer Window</p>	<p>NO No policy</p>	<p>Illinois policy does not provide for a timeline for student transfers to another school or another school district.</p>
<p>Tuition-Free Public Schools</p>	<p>LIMITED Tuition can be charged</p>	<p>Illinois Statute explains that nonresident students may be charged tuition, in an amount not exceeding 110% of the per capita cost of maintaining the schools of the district for the preceding year.</p> <p>(105 ILCS 5/10-20.12a Tuition for non-resident pupils)</p> <p>Further, Statute makes clear that only resident students of a school district may attend the schools of the district without a payment of tuition.</p> <p>(105 ILCS 5/10-20.12b Residence; payment of tuition; hearing; criminal penalty)</p>
<p>School Capacity Transparency</p>	<p>NO No transparency policy</p>	<p>Illinois policies do not require school districts to publicly report capacity by school and grade level.</p>
<p>Transfer Data Transparency</p>	<p>NO No transparency in data reporting</p>	<p>Illinois policies do not require the state to collect and publicly report district-level open enrollment data.</p>
<p>Transparent Appeal Process</p>	<p>NO</p>	<p>Illinois policies do not provide for an appeals process following a district’s denial of transfer.</p>

SOURCE CITATIONS

Statutes

[105 ILCS 5/2-3.13a School records; transferring students](#)

[105 ILCS 5/10-21.3a Transfer of students](#)

[105 ILCS 5/10-20.12a Tuition for non-resident pupils](#)

[105 ILCS 5/10-20.12b Residence; payment of tuition; hearing; criminal penalty](#)

State Department of Education

[ISBE, Student Transfer Form](#)



Charter Schools in Illinois

POLICY	RATING	POLICY OVERVIEW
<p>Multiple Charter Authorizers</p>	<p>LIMITED</p> <p>No real authorizer options</p>	<p>Charter schools operate under charters that have been authorized by local school boards. The proposed agreement must be submitted to and certified by the State Board before it takes effect.</p> <p>(105 ILCS 5-27A-6 Contract contents; applicability of laws and regulations; 105 ILCS 5/27A-7 Charter submission)</p> <p>Illinois Administrative Code confirms the limited authorizer options and provides information on procedures to submit applications to the State Board.</p> <p>(23 Illinois Admin Code 650.30 Submission to the State Board of Education)</p>
<p>Charter Appeal Process</p>	<p>NO</p> <p>No appeals process</p>	<p>Charter holders may appeal a local school board report that revokes or refuses to renew a charter to the State Board of Education.</p> <p>(23 Illinois Admin Code 650.63 Appeal of Local School Board Decisions)</p> <p>Illinois policy does not provide for an appeal of an authorizer’s decision to deny an application for authorization.</p>
<p>Charter Regulatory Flexibility</p>	<p>LIMITED</p> <p>Some or no exemptions</p>	<p>Illinois Statute requires charter schools to comply with:</p> <ul style="list-style-type: none"> • The Illinois Educational Labor Relations Act; • All federal and state laws and rules applicable to public schools that pertain to special education and the instruction of English learners, and its charter. <p>Charter schools are otherwise exempt from all other state laws and regulations governing public schools and local school board policies. Charters are subject to certain health and safety requirements, student privacy, and others specifically enumerated in Illinois Statute.</p> <p>(105 ILCS 5/27A-5 Charter school; legal entity; requirements)</p> <p>Illinois Statute requires employees to be licensed or possess the following qualifications:</p>

		<ul style="list-style-type: none"> • Graduated with a bachelor’s degree from an accredited institution of higher learning; • Been employed for a period of 5 years in an area requiring application of the individual’s education; • Passed a content area knowledge test required under the Code; and • Demonstrate continuing evidence of professional growth, which shall include, but not be limited to, successful teaching experience, attendance at professional meetings, membership in professional organizations, additional credits earned at institutions of higher learning, travel specifically for educational purposes, and reading of professional books and periodicals. <p>If employees do not have the required licensure, the school must provide them with mentoring, training, and staff development. At least 75% of individuals employed in instructional positions must hold teaching licenses.</p> <p>(105 ILCS 5/27A-10 Employees)</p>
<p>Equitable Charter Funding</p>	<p>YES</p> <p>Students are funded as in a traditional district school</p>	<p>Illinois requires students enrolled in a charter school to be included in the pupil enrollment of the school district within which the student resides.</p> <p>According to Statute, the charter school and local school board are to agree on funding and any services to be provided by the school district to the charter school.</p> <p>The funding may not be less than 97% or more than 103% of the school district’s per capita student tuition multiplied by the number of students residing in the district who are enrolled in the charter school.</p> <p>Note that State Board-authorized charters are their own local educational agencies for purposes of financing.</p> <p>(105 ILCS 5/27A-11 Local financing)</p> <p>Illinois Statute also provides for state financing for charter schools. The State Board must make transition impact aid available to school districts that approve a new charter school. Further, the State Board must make grants to charter schools to pay start-up costs of acquiring educational materials and supplies, textbooks, electronic textbooks and technological equipment, and other equipment or materials that are needed by the school. The Statute also provides for a Charter Schools Revolving Loan Fund for start-up costs and for acquiring and remodeling a suitable physical plant. Finally, charter schools may apply for and receive any grant administered by the State Board that is available for school districts.</p> <p>(105 ILCS 5/27A-11.5 State financing)</p>

<p>Charter Facilities Funding</p>	<p>LIMITED</p> <p>Some or no facilities funding</p>	<p>The Illinois laws relating to charter schools provide that charters may negotiate and contract with school districts, the governing body of state colleges or universities, or public community colleges, or any other public or nonprofit private entity for the use of school buildings and grounds and any other real property or facilities to be used as the school site.</p> <p>Conversion charter schools are not required to pay rent for space deemed available in existing school district facilities. All other costs in these situations to maintain the facilities will be subject to negotiations by the charter school and local school board.</p> <p>(105 ILCS 5/27A-5 Charter school; legal entity; requirements)</p> <p>Illinois Statute also provides for state financing for charter schools. The State Board must make transition impact aid available to school districts that approve a new charter school. Further, the State Board must make grants to charter schools to pay start-up costs of acquiring educational materials and supplies, textbooks, electronic textbooks and technological equipment, and other equipment or materials that are needed by the school. The Statute also provides for a Charter Schools Revolving Loan Fund for start-up costs and for acquiring and remodeling a suitable physical plant. Finally, charter schools may apply for and receive any grant administered by the State Board that is available for school districts.</p> <p>(105 ILCS 5/27A-11.5 State financing)</p>
<p>Options for High-Performing Charters</p>	<p>LIMITED</p> <p>No opportunities for high-performing charter schools</p>	<p>Illinois policies do not provide for favorable environments to open or expand charter schools deemed high performing.</p>
<p>Charter Zoning Exemptions</p>	<p>LIMITED</p> <p>Less than full protections</p>	<p>Illinois charter law policies are silent regarding exemptions from local zoning and ordinances.</p> <p>Illinois zoning laws relating to public schools do not specifically list charter schools. The statute just refers to “public schools.”</p> <p>(See 55 ILCS 5/5-12021 Special provisions relating to public schools)</p>

SOURCE CITATIONS

Statutes	Administrative Code	State Department of Education
55 ILCS 5/5-12021 Special provisions relating to public schools	23 Illinois Admin Code 650.30 Submission to the State Board of Education	Illinois State Board of Education, Charter Schools
105 ILCS 5/27A-5 Charter school; legal entity; requirements	23 Illinois Admin Code 650.63 Appeal of Local School Board Decisions	
105 ILCS 5-27A-6 Contract contents; applicability of laws and regulations		
105 ILCS 5/27A-7 Charter submission		
105 ILCS 5/27A-10 Employees		
105 ILCS 5/27A-11 Local financing		
105 ILCS 5/27A-11.5 State financing		



Private School Choice in Illinois

POLICY	OVERALL RATING	PROGRAM OVERVIEW
<p>Universal Eligibility</p>	<p>LIMITED</p> <p>Eligibility less than 100%</p>	<p>Illinois has established an education expense credit which allows a credit for qualified education expenses.</p> <p>“Qualifying pupils” is defined to mean students who are:</p> <ul style="list-style-type: none"> • Residents of the state; • Under the age of 21 at the close of the school year for which the credit is sought; • Full-time pupils enrolled in K-12 education program in any school. <p>(35 ILCS 5/201(m) Education expense credit)</p>
<p>Comparable Student Funding</p>	<p>LIMITED</p> <p>Funding below 90%</p>	<p>The total credit is equal to 25% of qualified education expenses – the credit that is claimed must not exceed \$750.</p> <p>The tax credit may not reduce the taxpayer’s liability to less than zero.</p> <p>Taxpayers may not claim the credit if the adjusted gross income exceeds \$500,000 for spouses filing a joint federal tax return, or \$250,000 in the case of all other taxpayers.</p> <p>(35 ILCS 5/201(m) Education expense credit)</p>
<p>Uncapped Student Access</p>	<p>YES</p>	<p>In Illinois, the tax credit program does not have any funding or enrollment caps.</p>
<p>Extended Application Window</p>	<p>LIMITED</p> <p>Application period or periods</p>	<p>Parents apply for the tax credit upon filing annual taxes.</p>

<p>Student Testing Options</p>	<p>LIMITED Rigid mandates, multiple tests, or no accountability</p>	<p>“School” is defined in the Statute to mean any public or nonpublic elementary or secondary school in the state, which complies with Title VI of the Civil Rights Act of 1964 and attendance at which satisfies the requirements of the state’s compulsory attendance requirements.</p> <p>(35 ILCS 5/201(m) Education expense credit)</p> <p>Illinois Statute is silent regarding assessment measures to measure student academic progress.</p>
<p>School Autonomy</p>	<p>LIMITED Silent language or adverse regulations</p>	<p>Illinois Statute is silent regarding private school autonomy.</p>
<p>Accessible School Participation</p>	<p>YES No accreditation requirement</p>	<p>Illinois Statute for the tax credit for educational expenses is silent regarding accreditation requirements.</p> <p>Illinois does not require private schools to be accredited.</p>
<p>ESAs and Parent-Directed Spending</p>		
<p>Freedom to Customize</p>	<p>NO No ESA or microgrant program</p>	<p>Illinois does not have an education scholarship account or microgrant program.</p>
<p>Freedom to Access</p>	<p>NO No ESA or microgrant program</p>	
<p>Carry-Over Funding</p>	<p>NO No ESA or microgrant program</p>	

Tax Credits

Full Tax Credit

LIMITED

Credit value below 100%

The education expense credit is equal to 25% of qualified education expenses. The total tax credit claimed may not exceed \$750.

The tax credit may not reduce the taxpayer’s liability to less than zero.

[\(35 ILCS 5/201\(m\) Education expense credit\)](#)

SOURCE CITATIONS

Statutes

[35 ILCS 5/201\(m\) Education expense credit](#)

Other Resources

[Illinois Dept of Revenue, Education Expense Credit](#)



Homeschooling in Illinois

POLICY	RATING	POLICY OVERVIEW
Homeschool without Prior Approval	<p>YES</p> <p>No permission required</p>	<p>Illinois does not require parents to receive permission from local school boards or other administrative bodies to start homeschooling.</p>
No Extra Homeschool Notifications	<p>YES</p> <p>One-time or no notification</p>	<p>Illinois does not require parents to notify state or local officials of the plan to homeschool – the state does encourage parents to notify their child’s resident school and some regional offices of education may have voluntary forms for homeschool families.</p>
No Certification to Homeschool	<p>YES</p> <p>No certification requirement</p>	<p>Homeschool parents in Illinois do not need to possess teacher certification.</p>
Flexible Assessment Options	<p>YES</p> <p>Flexible academic accountability</p>	<p>Illinois Statute does not provide for specific assessments of student academic progress.</p> <p>Illinois Statute does require parents to teach students specific subjects, including language arts, mathematics, biological, physical and social sciences, the fine arts, and physical development and health.</p> <p>(105 ILCS 5/27-1 Areas of education taught)</p>

SOURCE CITATIONS

Statutes

[105 ILCS 5/27-1 Areas of education taught](#)

State Department of Education

[Illinois State Board of Education, Illinois Homeschooling](#)

[Illinois State Board of Education, Illinois Homeschooling document](#)

POLICY ENHANCERS



Part-time Enrollment in Illinois

POLICY	RATING	POLICY OVERVIEW
Resident Course Access	<p>YES</p>	<p>Illinois Statute gives nonpublic and homeschool students access to individual courses in their local school districts. Statute requires sufficient space in the public school for the student to attend, and the request must be submitted before May 1 for part-time enrollment in the following year. Homeschool students are classified as nonpublic students in code.</p> <p>(105 ILCS 5/10-20.24 Part-time Attendance)</p>
Nonresident Course Access	<p>LIMITED</p> <p>Districts only serve resident students or can impose other restrictions</p>	<p>Illinois Statute makes clear that requests can only be made to those public schools located in the district where the child resides. Access to public school courses is not allowed outside a district of residence.</p> <p>(105 ILCS 5/10-20.24 Part-time Attendance)</p>
Virtual Course Access	<p>LIMITED</p> <p>Access denied to some resident students, or students must take at least one class in a public school</p>	<p>Illinois has created the Illinois Virtual Course Program that offers courses, including full service core, elective, AP and credit recovery, as supplemental programs for middle and high school students. The state has approved 6 service providers – all courses are taught by Illinois licensed educators and aligned to the state’s learning standards.</p> <p>Public school districts may receive reimbursements for student enrollment.</p> <p>It is not clear from the Board’s webpage that this program is available for nonpublic and homeschool students.</p> <p>(Illinois State Board of Education, Virtual Course Catalog)</p>

Extracurricular Access

NO

No requirement to make extra/co-curricular opportunities available to all students

Homeschool Students

Guidance from the Illinois State Board of Education indicates that public schools have no obligation to make extracurricular activities open to homeschooled students.

[\(Illinois State Board of Education, Illinois Homeschooling document\)](#)

Further, the Illinois Elementary School Association and Illinois High School Association have limited the ways homeschool students may participate in interscholastic athletics. For example, the Elementary School Association provides that homeschool students may be eligible if they meet certain requirements, including the homeschool student’s work must be accepted by the school district and be granted credit toward graduation; be provided with a method to monitor the academic performance of the students; and others. The High School Association provides that local schools have the responsibility to determine whether homeschooled students may participate in an interscholastic activity.

[\(Illinois Elementary School Association, 2,000 School By-Laws; Illinois High School Association, Home School Fact Sheet\)](#)

Charter School Students

Illinois laws are silent regarding charter school student access to extracurricular activities in public schools.

Nonpublic School Students

The Illinois High School Association requires students to attend a member school to participate in activities. Attendance requires a student to be enrolled at the member school for a minimum of 25 credit hours of work for which credit toward high school graduation will be granted. Thus, nonpublic school students are not eligible to participate.

[\(IHSA Handbook, Policy 3.010 Attendance\)](#)

SOURCE CITATIONS

Statutes

[105 ILCS 5/10-20.24 Part-time Attendance](#)

State Department of Education

[Illinois State Board of Education, Illinois Homeschooling document](#)

[Illinois State Board of Education, Virtual Course Catalog](#)

Other Resources

[Illinois Elementary School Association, 2,000 School By-Laws](#)

[Illinois High School Association, Home School Fact Sheet](#)

[IHSA Handbook, Policy 3.010 Attendance](#)



Learn Everywhere in Illinois

POLICY	RATING	POLICY OVERVIEW
Provider Qualification Standard	<p>NO</p> <p>No program</p>	<p>Illinois has not established a Learn Everywhere program.</p>
Course Credit Standard	<p>NO</p> <p>No program</p>	
Core Course Opportunities	<p>NO</p> <p>No program</p>	
Central State List	<p>NO</p> <p>No program</p>	



Transportation in Illinois

POLICY	RATING	POLICY OVERVIEW
Open Enrollment Transit	<p>LIMITED</p> <p>Less than equitable and/or for some students only</p>	<p>For interdistrict transfers at the discretion of districts, transportation may be provided where the school district enters a contract with the receiving district, which allows for transportation to be provided at the actual cost to transport students.</p> <p>(105 ILCS 5/29-6 Inter-district contracts for transportation)</p>
Fair Transportation Access	<p>YES</p>	<p>Illinois Statute requires school boards that provide a school bus for transporting students to and from public schools to provide transportation, without cost for children attending charter schools or private schools, if they reside at least 1.5 miles from the school attended. These students must reside on or along the highway constituting the regular route of the public school bus.</p> <p>Note that school districts also may operate separate regular bus routes for charter school and nonpublic school students.</p> <p>(105 ILCS 5/29-4 Pupils attending a charter school or nonpublic school)</p>
Vehicle Flexibility	<p>YES</p>	<p>Illinois defines “school bus” to mean “every motor vehicle...owned or operated by or for any of the following entities for the transportation of persons regularly enrolled as students in grade 12 or below in connection with any activity of such entity:</p> <ul style="list-style-type: none"> • Any public or private primary or secondary school; • Any primary or secondary school operated by a religious institution; • Any public, private or religious nursery school.” <p>The definition does not include buses operated by public utilities, municipal corporations or common carriers; motor vehicles of the first division; or motor vehicles designed for transporting not more than 15 students to and from interscholastic athletic or other interscholastic or school sponsored activities.</p> <p>(625 ILCS 5/1-182 School bus)</p>

The Administrative Code allows for the use of Type I or Type II buses to transport students to and from school. Further Type I-A school buses are permitted and are designed for carrying more than 10 persons.

[\(92 Illinois Admin Code 440 Minimum Safety Standards for Construction of Type I School Buses; 92 Illinois Admin Code 442 Minimum Safety Standards for Construction of Type II School Buses;](#)

SOURCE CITATIONS

Statutes

[105 ILCS 5/29-4 Pupils attending a charter school or nonpublic school](#)

[105 ILCS 5/29-6 Inter-district contracts for transportation](#)

[625 ILCS 5/1-182 School bus](#)

Administrative Code

[92 Illinois Admin Code 440 Minimum Safety Standards for Construction of Type I School Buses](#)

[92 Illinois Admin Code 442 Minimum Safety Standards for Construction of Type II School Buses](#)

