STATE OF ILLINOIS
STATE BOARD OF EDUCATION

In the Matter of the Appeal of the )
Denial of Southland College Prep ) No. 2010-03
Charter School Proposal )

DETERMINATION

WHEREAS, Southland College Prep Charter School ("Southland") submitted a proposal ("the proposal") to start a charter school to Rich Township High School District 227 ("the District");

WHEREAS, the District denied the proposal;

WHEREAS, Southland submitted a timely appeal ("the appeal") of said denial to the Illinois State Board of Education ("ISBE");

WHEREAS, pursuant to its authority under Section 650.60(b) of the 23 Illinois Administrative Code (hereinafter Section 650.60(b)), and in order to determine whether or not the proposal was in compliance with the provisions of the Charter Schools Law and whether or not the charter proposal was in the best interests of the students it is designed to serve, on April 29, 2010, ISBE staff contacted the Southland developers to request additional information about the materials contained in the proposal;

WHEREAS, on May 6, 2010, Southland submitted information responsive to ISBE staff's April 30, 2010 request;

WHEREAS, on May 18, 2010, pursuant to its authority under Section 650.60(b), and in order to determine whether or not the proposal was in compliance with the provisions of the Charter Schools Law and whether or not the charter proposal was in the best interests of the students it is designed to serve, ISBE staff again contacted the Southland developers to request additional information, specifically regarding the provision of special education services;
WHEREAS, on May 18, 2010, Southland submitted information responsive to ISBE staff’s May 18, 2010, request;

WHEREAS, based on all the information submitted in connection with the appeal, the State Superintendent compiled a Review and Recommendation (attached as Attachment A), recommended that, in accordance with such Review and Recommendation, ISBE find that Southland’s charter proposal (a) complies with the Charter Schools Law and (b) is in the best interest of the students it is designed to serve; and

WHEREAS, Southland and the District, after receiving at least a seven day notice, presented oral argument on May 21, 2010 to the ISBE.

NOW, THEREFORE, IT IS DETERMINED THAT having reviewed the State Superintendent’s Review and Recommendation and having heard the District’s and Southland’s respective presentations at oral argument on May 21, 2010, ISBE hereby:

- adopts the State Superintendent’s Review and Recommendation;
- accepts the evidence presented in the State Superintendent’s Review and Recommendation;
- finds that, in accordance with the evidence presented in such Review and Recommendation, Southland’s charter school proposal (i) is in compliance with Article 27A of the Illinois School Code [105 ILCS 5/27A]; and (ii) is in the best interests of the students its designed to serve; and therefore,
- reverses the decision of the District.

ISBE authorizes the State Superintendent and ISBE staff to negotiate all aspects of the charter agreement with Southland and further determines that approval of the charter school is contingent on the charter agreement, subsequent to the aforementioned negotiations, being presented to and approved by ISBE, preferably at its June 2010 board meeting.

This decision is final and subject to judicial review under the Illinois Administrative Review Law. (See 735 ILCS 5/3-101 et seq.)

Jesse H. Ruiz, ISBE Chair