Oct. 6, 2014  [emailed to: 

Ann Swinburn
The Center for Popular Democracy

Dear Ms. Swinburn:

This letter is in response to your request for information under the Illinois Freedom of Information Act. Your request was received on Sept. 18, 2014.

On Sept. 24, our agency requested a five-day extension until Oct. 2, 2014. Per your phone conversation with ISBE’s Megan Griffin on Oct. 2, you agreed to an additional extension of time.

You will receive an email from the service www.sendthisfile.com, which will contain a link where you may download a compressed file containing the documents you have requested. Please note files will need to be downloaded within three days or the link will expire.

Request 1: “Any and all documents which detail the review process that the Illinois State Board of Education uses to assess the financial health and management of charter schools in Illinois.”

Response 1: The attached document (15-086-swinburn-doc32.pdf) has been provided in response to your request.

Additional information can be viewed via the following link: http://www.isbe.net/charter/. To view the information you seek, click on “Legislation, Rules and Policy,” then scroll to “Certification of Financial Statements”.

Request 2: “Any and all documents which reflect the actual review, in the past five years, of the financial audits of charter schools in Illinois. Review documents could include checklists, spreadsheets, internal notes or communications, etc.”

Response 2: Some responsive documents have been located, but are being withheld pursuant to 5 ILCS 140/7 (1) (f), as the requested documents are “preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated.”
Request 3: “Any and all notifications to charter schools in Illinois that they are subject to revocation.”

Response 3: “Revocation” is a decision made by the authorizer of a charter school. The State Board of Education does not have the authority under the current Illinois Charter Schools Law to authorize charter schools. Thus, for the period of June 20, 2011, to present, we have no records responsive to this request. Prior to June 20, 2011, ISBE had the authority to authorize charter schools that had been denied by a local school board. ISBE never “revoked” the charter of any of its charter schools during this period. In 2003, it chose to “not renew” the charter of Thomas Jefferson Charter School (Des Plaines, IL). Documents pertaining to this decision can be accessed on the ISBE website, http://www.isbe.net/news/2003/aug8-03.htm/

We recommend sending this portion of your request the State Charter School Commission for additional information.

Request 4: “(a) Any and all letters notifying charter authorizers in Illinois that the State Board of Education intends to remove that authorizer’s power to authorize or (b) letters notifying authorizers that the Board has concerns regarding the finances or financial management of a charter school.”

Response 4 (a): We have no documents to provide in response to this portion of your request.

Response 4 (b): Per your email conversation with ISBE’s Megan Griffin, you agreed to receive the most recent certification letters for charter schools in current operation where any concern with the finances or financial management of a charter school is referenced; and letters related to any charter school where certification was denied based in any part on financial concerns.

The attached documents (15-086-swinburn-doc1.pdf through 15-086-swinburn-doc31.pdf) have been provided in response to this portion of your request. Please be advised we have redacted signatures in the documents as unique personal identifiers pursuant to 5 ILCS 140/7 (1) (b).

In addition to the attached documents, please see the staff recommendation not to certify Tomorrow’s Builders YouthBuild Charter School (beginning on page 375) via the following link: http://www.isbe.net/board/meetings/2014/jan/packet.pdf; as well as the minutes from the hearing where the Board made the decision to not rectify Tomorrow’s Builders YouthBuild Charter School via the following link: http://www.isbe.net/board/meetings/2014/jan/2014-01.pdf.

Request 5: “Copies of fraud audits conducted by the State Board of Education, or by independent auditors, at charter schools in Illinois.”

Response 5: Our agency has no documents to provide in response to this portion of your request.

Request 6: “Copies of documents reflecting fraud risk assessments being carried out at charter schools in Illinois.”
Response 6: Our agency has no documents to provide in response to this portion of your request.

Request 7: "Copies of documents which reflect fraud risk programs which are in existence for assessing fraud risk at charter schools in Illinois."

Response 7: Our agency has no documents to provide in response to this portion of your request.

Request 8: "Number of State Board of Education staff dedicated to performing or reviewing audits or fraud risk assessments for the years 2004 to present."

Per your phone conversation with ISBE's Megan Griffin and Jennifer Saba on October 2, 2014, you clarified Part 8 of your September 18, 2014 FOIA request. Per this discussion, you have narrowed your request to "(a) the number of employees in the State Board's Federal and State Monitoring Division (f/k/a External Assurance), in each of the last five years. You also asked for (b) the number of audits this division had performed in each of the last two years, and (c) of those audits, the number of audits performed specifically on charter schools."

Response 8 (a):
FY11 External Assurance – 22 employees  
FY12 External Assurance – 18 employees  
FY13 Federal and State Monitoring – 22 employees  
FY14 Federal and State Monitoring – 21 employees  
FY15 Federal and State Monitoring – 18 employees  
* Headcounts based upon the July A payroll report for each fiscal year.

Response 8 (b): In the FY2013 Audit and Monitoring Cycle, Federal and State Monitoring conducted 227 Audit and Monitoring Events at Local Education Agencies (LEAs). LEA is a federal term for school district.

In the FY 2014 Audit and Monitoring Cycle, Federal and State Monitoring conducted 218 Audit and Monitoring Events at LEAs.

Response 8 (c): There are two types of charter schools in Illinois: charter schools authorized by a local school district, and charter schools authorized by the Illinois State Charter School Commission (the “Commission”). District-authorized charter schools are considered schools of the district. Commission-authorized charter schools are considered LEAs in their own right.

ISBE Federal and State Monitoring audits by district, not by school. Charter schools authorized by a school district that is subject to an audit and monitoring event may or may not be part of that review. We do not have a mechanism for tracking school-level data within our audit and monitoring events. However, as part of our monitoring process at the LEA level, we inquire if the LEA has a new or expanded charter school, which then gets considered in our monitoring assessment.

We have four Commission-authorized charters in the State that are considered free-standing LEAs: Southland College Prep Charter High School; Prairie Crossing Charter School; Horizon Science Academy – Belmont Charter School; and Horizon Science
Academy – McKinley Park Charter School. Of these four, only one has received an audit in the last two years. Specifically, Southland was audited in the FY 2014 cycle.

A more complete description of the work done by the Federal and State Monitoring Division can be found on the ISBE website, at http://www.isbe.net/ea/.

If you have questions, please contact Megan Griffin at (217) 782-4648 or mgriffin@isbe.net.

Sincerely,

Matt Vanover
Director of Public Information

Attachments