



April 12, 2015

Dear PCCS Community,

Many of you have asked for more detail surrounding the lawsuit from Woodland District 50 against the Illinois State Charter School Commission (SCSC), the Illinois State Board of Education (ISBE) and PCCS. Because this is a matter of ongoing litigation, we want to share as much available public information, facts and figures that address the basis of the lawsuit.

Frequently Asked Questions:

Why are you so confident that we will be open next year and for years to come?

We trust that the language of the law will prevail in the Illinois Appellate Court and not the misinterpretation or the mistaken claims that are being presented by Woodland.

The lawsuit from Woodland has four counts against the ISBE and the SCSC. PCCS is named in the following counts.

- Count I - Administrative Review against all Defendants (*Translation: Woodland is challenging the ISBE and SCSC's interpretation of the State's own charter school law. And, that the charter school renewal process used by the State is faulty*).
- Count II - Writ of Certiorari against all Defendants (*Translation: Woodland is using this other legal avenue to similarly challenge the ISBE and SCSC's interpretation of the State's own charter school law, and, that the charter school renewal process used by the State is faulty*).

The Cook County Court only ruled on Count I and ordered that this case proceed before the Illinois Appellate Court. We anticipate that the Appellate Court process will take a year or more to complete. If Woodland doesn't get the outcome they want from the Appellate Court, they may exercise their right to have the other counts heard at the Cook County Court level. Either party, depending on the outcome of the court's decision, may also appeal those counts to the Appellate Court. In short, this process of appeal/counter appeal can go on for years.

The purpose of the Illinois Appellate Court is to interpret the law as it is written. Their role is to focus on evaluating whether the States' charter renewal process was consistent with the Charter School Law. Our entire team is confident that the Illinois Appellate Court will overturn the recent Cook County Court's decision and conclude that SCSC, ISBE and PCCS did not violate Charter School Law.

In addition, there are other legal strategies that our team is pursuing that run parallel to the appeal process. While we cannot share what those are at this time, we are confident that PCCS will continue to provide an award winning choice for public education for many years.

Why was Court held in Cook County instead of Lake County where the Charter School is located?

ISBE and SCSC were the State agencies that granted and certified the renewal of PCCS's charter and any lawsuit brought against them must be brought in the county where their offices are located. PCCS is the recipient of the actions (was awarded the recharter) and therefore named in Counts I and II.

Fact and Figures

1. Woodland's main claim against us is that we have an insufficient amount of at-risk students attending PCCS.

Before we address the quantity issue, here is a brief reminder of how the State defines an at-risk student - *A pupil who, because of physical, emotional, socioeconomic, or cultural factors, is less likely to succeed in a conventional educational environment.*

Below is the excerpt of the Charter School law that refers to educating at-risk students. You'll see that the law recognizes the importance of at-risk students, but they are not the exclusive focus of a charter school's purpose according to [Article 27A](#) in the Illinois School code.

Excerpt to 105 ILCS 5/27A 2:

(2) To increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for at-risk pupils, consistent, however, with an equal commitment to increase learning opportunities for all other groups of pupils in a manner that does not discriminate on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, or need for special education services.

Now let's address Woodlands claim that PCCS has an insufficient amount of at-risk students:

- Our current charter and all previous charter agreements have never had a percentage requirement for at-risk children attending PCCS.
- At our 2009 and 2013 charter renewals, we were required to increase our outreach in order to attract more at-risk students. We have done so for six straight years.
- The results show that PCCS has increased our percentage of at-risk students over 23% since 2009.
- Woodland uses the percentage of at-risk students in their school and imposed that percentage as a standard on us. They have no authority to do so. Only legislative changes to the law can do so.

(More about our current [outreach efforts](#) and see #8 below)

2. Woodland also claims that ISBE is "siphoning" their General State Aid funds and giving it to PCCS.

PCCS does not siphon money from any other school.

Here is how our School is funded: ISBE provides 100% of our State funding. Currently, if a student lives in District 50 – PCCS receives \$9,444 per student from ISBE. If the student lives in District 79, we receive \$10,686 per student from ISBE. These amounts change every year.

The primary funding for Woodland and Fremont is through local property taxes. PCCS receives no funding from local property taxes. Secondary funding for Woodland and Fremont comes from the States GSA. ISBE also uses GSA as the primary source of funding for charter schools authorized by the State. There is no secondary funding from the State for charter schools.

3. Woodland claims that they have been required to financially support the operation of Prairie Crossing Charter School for the past 15 years.

Again, PCCS's funding comes from the State not from Woodland. The money received from the State aligns with the number of District 50's students that attend PCCS.

Let's look at the funding numbers per the [2014 School Report Cards](#) as shown for our surrounding districts and PCCS:

- PCCS students that live in the Woodland District equal 4.72% of Woodland's total enrollment. The funding PCCS receives from the State is to 4.24% of Woodland's budget (using only the primary and secondary funding of Property Tax and GSA).
- PCCS Students that live in the Fremont's district equal 3.21% of Fremont's total enrollment. The funding that follows the child to PCCS is to 3.1% of the Property Tax and GSA that Fremont receives.
- In both examples, PCCS receives ~10+% less funding per child that attends our school than if that same child was enrolled in our surrounding district schools.

PCCS agrees with our surrounding districts that the funding formulas should change through legislation. We believe our students' value should be 100% equal to that of our surrounding districts.

4. Enrollment in PCCS is through a nondiscriminatory blind lottery system

PCCS students are selected through a [lottery process](#) that is dictated via Charter School Law. Our lottery is a nonexclusive, nondiscriminatory process where all students who live in Districts 50 and 79 are welcome to apply. When PCCS has more applicants than seats available State law mandates that there must be a lottery registration process.

5. Can PCCS select students who are at-risk from those who place their name in the lottery?

Per Charter School Law, no preference can be given to any student except for siblings of already enrolled students. In 2014, PCCS asked our chartering authority to consider a request to follow the USDOE guidelines of holding a weighted lottery in hopes of providing an increased chance for at-risk students during the lottery process. Further, PCCS cannot legally ask for this type of information in its [lottery enrollment forms](#). PCCS only asks prospective families for their names, address (to determine in district eligibility) and child's date of birth, along with supporting documentation for that information.

6. PCCS is Not Exclusive to Prairie Crossing Residents.

Families have the same chance of being selected in the lottery regardless their street address.

- Based on 2015 enrollment numbers – 47 out of 258 families (18.21%) reside in the Prairie Crossing neighborhood.

7. PCCS will provide Transportation to any student.

PCCS adheres to the state law in regards to providing a [transportation plan](#) for all students in our districts. The State chartering authorities have reviewed PCCS's plan for transportation and have found that it complies with the law.

Why not provide Bussing?

Unlike our underlying district schools, the State does not provide funding for bus transportation for charter schools. While evaluating the feasibility of a bus system, the School considered many factors in evaluating how a bus program could be implemented. The initial review showed:

- Serving two districts (50 and 79), the program would have span a~63 square miles area to provide adequate coverage for the students.
- This means multiple busses and routes would be needed.
- Initial cost estimates are in excess of \$ 300,000 annually.
- School calendar and length of day changes may be needed.

The School is continuing to investigate alternatives to our transportation plan in effort to provide additional feasible services for all families that choose PCCS.

8. PCCS has an extensive outreach program that is increasing our at-risk student population.

Since the 2009 charter renewal, PCCS developed annual outreach plans that were approved by ISBE and the SCSC each year. These plans included providing information about the opportunity to attend our free public charter school in bi-lingual media communications, a combination of written and in-person contacts with over 200 local community, educational & governmental organizations and businesses throughout the region.

Beginning in 2014, as a condition of our most recent charter renewal, PCCS developed a more robust [outreach plan](#) that has been vetted and approved by the SCSC. Multiple times since the approval, SCSC has visited PCCS to review our progress and has reported that we are meeting our objectives of our approved plan.

- We have steadily increased the budget and scope of our outreach efforts to attract families with at-risk children to our school and to apply for the lottery.
- The results of these efforts show a 23% increase of at-risk students since 2009.
- In sharp contrast to statements that we are failing on creating a school that welcomes diversity, we have made steady progress increasing our diversity 26% since we opened in 1999 and 12% since our 2009 recharter
- The PCCS Board had committed to expand our outreach resources, budget and efforts.

We continue to work closely with SCSC to evaluate the effectiveness of our outreach plan and will refine and amend our approach to make sure we are doing everything we possibly can to make sure that every student eligible to attend knows that they can attend PCCS.

