

SB0182



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB0182

Introduced 1/30/2009, by Sen. Dan Cronin

SYNOPSIS AS INTRODUCED:

105 ILCS 5/27A-4

Amends the Charter Schools Law of the School Code. Removes the limit on the total number of charter schools that may operate at any one time; makes related changes. Effective immediately.

LRB096 05729 NHT 15799 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 27A-4 as follows:

6 (105 ILCS 5/27A-4)

7 Sec. 27A-4. General Provisions.

8 (a) The General Assembly does not intend to alter or amend
9 the provisions of any court-ordered desegregation plan in
10 effect for any school district. A charter school shall be
11 subject to all federal and State laws and constitutional
12 provisions prohibiting discrimination on the basis of
13 disability, race, creed, color, gender, national origin,
14 religion, ancestry, marital status, or need for special
15 education services.

16 ~~(b) The total number of charter schools operating under~~
17 ~~this Article at any one time shall not exceed 60. Not more than~~
18 ~~30 charter schools shall operate at any one time in any city~~
19 ~~having a population exceeding 500,000; not more than 15 charter~~
20 ~~schools shall operate at any one time in the counties of~~
21 ~~DuPage, Kane, Lake, McHenry, Will, and that portion of Cook~~
22 ~~County that is located outside a city having a population~~
23 ~~exceeding 500,000, with not more than one charter school that~~

1 ~~has been initiated by a board of education, or by an~~
2 ~~intergovernmental agreement between or among boards of~~
3 ~~education, operating at any one time in the school district~~
4 ~~where the charter school is located; and not more than 15~~
5 ~~charter schools shall operate at any one time in the remainder~~
6 ~~of the State, with not more than one charter school that has~~
7 ~~been initiated by a board of education, or by an~~
8 ~~intergovernmental agreement between or among boards of~~
9 ~~education, operating at any one time in the school district~~
10 ~~where the charter school is located.~~ For purposes of
11 implementing this Section, the State Board shall assign a
12 number to each charter submission it receives under Section
13 27A-6 for its review and certification, based on the
14 chronological order in which the submission is received by it.
15 ~~The State Board shall promptly notify local school boards when~~
16 ~~the maximum numbers of certified charter schools authorized to~~
17 ~~operate have been reached.~~

18 (c) No charter shall be granted under this Article that
19 would convert any existing private, parochial, or non-public
20 school to a charter school.

21 (d) Enrollment in a charter school shall be open to any
22 pupil who resides within the geographic boundaries of the area
23 served by the local school board, provided that the board of
24 education in a city having a population exceeding 500,000 may
25 designate attendance boundaries for no more than one-third of
26 the charter schools permitted in the city if the board of

1 education determines that attendance boundaries are needed to
2 relieve overcrowding or to better serve low-income and at-risk
3 students. Students residing within an attendance boundary may
4 be given priority for enrollment, but must not be required to
5 attend the charter school.

6 (e) Nothing in this Article shall prevent 2 or more local
7 school boards from jointly issuing a charter to a single shared
8 charter school, provided that all of the provisions of this
9 Article are met as to those local school boards.

10 (f) No local school board shall require any employee of the
11 school district to be employed in a charter school.

12 (g) No local school board shall require any pupil residing
13 within the geographic boundary of its district to enroll in a
14 charter school.

15 (h) If there are more eligible applicants for enrollment in
16 a charter school than there are spaces available, successful
17 applicants shall be selected by lottery. However, priority
18 shall be given to siblings of pupils enrolled in the charter
19 school and to pupils who were enrolled in the charter school
20 the previous school year, unless expelled for cause, and
21 priority may be given to pupils residing within the charter
22 school's attendance boundary, if a boundary has been designated
23 by the board of education in a city having a population
24 exceeding 500,000. Dual enrollment at both a charter school and
25 a public school or non-public school shall not be allowed. A
26 pupil who is suspended or expelled from a charter school shall

1 be deemed to be suspended or expelled from the public schools
2 of the school district in which the pupil resides.

3 (i) (Blank).

4 (j) Notwithstanding any other provision of law to the
5 contrary, a school district in a city having a population
6 exceeding 500,000 shall not have a duty to collectively bargain
7 with an exclusive representative of its employees over
8 decisions to grant or deny a charter school proposal under
9 Section 27A-8 of this Code, decisions to renew or revoke a
10 charter under Section 27A-9 of this Code, and the impact of
11 these decisions, provided that nothing in this Section shall
12 have the effect of negating, abrogating, replacing, reducing,
13 diminishing, or limiting in any way employee rights,
14 guarantees, or privileges granted in Sections 2, 3, 7, 8, 10,
15 14, and 15 of the Illinois Educational Labor Relations Act.

16 (Source: P.A. 92-16, eff. 6-28-01; 93-3, eff. 4-16-03; 93-861,
17 eff. 1-1-05.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.