

SB3303



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3303

Introduced 2/14/2014, by Sen. Jacqueline Y. Collins

SYNOPSIS AS INTRODUCED:

105 ILCS 5/27A-4

Amends the Charter Schools Law of the School Code. Provides that no charter shall be granted that would locate a charter school or charter school campus in a zip code in which a public school was closed within 10 school years prior to the effective date of the amendatory Act or that would locate a charter school or charter school campus in a zip code that is contiguous to a zip code in which a public school was closed within 10 school years prior to the effective date of the amendatory Act. Provides that no charter shall be granted unless the General Assembly has appropriated transition impact aid for the school district where the charter school is to be located. Provides that, for charter schools established on or after the effective date of the amendatory Act, the board of education in a city having a population exceeding 500,000 shall designate attendance boundaries for those charter schools.

LRB098 17657 NHT 52770 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 120. Not more
18 than 70 charter schools shall operate at any one time in any
19 city having a population exceeding 500,000, with at least 5
20 charter schools devoted exclusively to students from
21 low-performing or overcrowded schools operating at any one time
22 in that city; and not more than 45 charter schools shall
23 operate at any one time in the remainder of the State, with not

1 more than one charter school that has been initiated by a board
2 of education, or by an intergovernmental agreement between or
3 among boards of education, operating at any one time in the
4 school district where the charter school is located. In
5 addition to these charter schools, up to but no more than 5
6 charter schools devoted exclusively to re-enrolled high school
7 dropouts and/or students 16 or 15 years old at risk of dropping
8 out may operate at any one time in any city having a population
9 exceeding 500,000. Notwithstanding any provision to the
10 contrary in subsection (b) of Section 27A-5 of this Code, each
11 such dropout charter may operate up to 15 campuses within the
12 city. Any of these dropout charters may have a maximum of 1,875
13 enrollment seats, any one of the campuses of the dropout
14 charter may have a maximum of 165 enrollment seats, and each
15 campus of the dropout charter must be operated, through a
16 contract or payroll, by the same legal entity as that for which
17 the charter is approved and certified.

18 For purposes of implementing this Section, the State Board
19 shall assign a number to each charter submission it receives
20 under Section 27A-6 for its review and certification, based on
21 the chronological order in which the submission is received by
22 it. The State Board shall promptly notify local school boards
23 when the maximum numbers of certified charter schools
24 authorized to operate have been reached.

25 (c) No charter shall be granted under this Article that
26 would convert any existing private, parochial, or non-public

1 school to a charter school.

2 No charter shall be granted under this Article that would
3 locate a charter school or charter school campus in a zip code
4 in which a public school was closed within 10 school years
5 prior to the effective date of this amendatory Act of the 98th
6 General Assembly or that would locate a charter school or
7 charter school campus in a zip code that is contiguous to a zip
8 code in which a public school was closed within 10 school years
9 prior to the effective date of this amendatory Act of the 98th
10 General Assembly.

11 No charter shall be granted under this Article unless the
12 General Assembly has appropriated transition impact aid under
13 Section 27A-11.5 of this Code for the school district where the
14 charter school is to be located.

15 (d) Enrollment in a charter school shall be open to any
16 pupil who resides within the geographic boundaries of the area
17 served by the local school board, provided that (i) for charter
18 schools established before the effective date of this
19 amendatory Act of the 98th General Assembly, the board of
20 education in a city having a population exceeding 500,000 may
21 designate attendance boundaries for no more than one-third of
22 the charter schools permitted in the city if the board of
23 education determines that attendance boundaries are needed to
24 relieve overcrowding or to better serve low-income and at-risk
25 students and (ii) for charter schools established on or after
26 the effective date of this amendatory Act of the 98th General

1 Assembly, the board of education in a city having a population
2 exceeding 500,000 shall designate attendance boundaries for
3 those charter schools. Students residing within an attendance
4 boundary may be given priority for enrollment, but must not be
5 required to 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 Notwithstanding anything to the contrary in this subsection
4 (h):

5 (1) any charter school with a mission exclusive to
6 educating high school dropouts may grant priority
7 admission to students who are high school dropouts and/or
8 students 16 or 15 years old at risk of dropping out and any
9 charter school with a mission exclusive to educating
10 students from low-performing or overcrowded schools may
11 restrict admission to students who are from low-performing
12 or overcrowded schools; "priority admission" for charter
13 schools exclusively devoted to re-enrolled dropouts or
14 students at risk of dropping out means a minimum of 90% of
15 students enrolled shall be high school dropouts; and

16 (2) any charter school located in a school district
17 that contains all or part of a federal military base may
18 set aside up to 33% of its current charter enrollment to
19 students with parents assigned to the federal military
20 base, with the remaining 67% subject to the general
21 enrollment and lottery requirements of subsection (d) of
22 this Section and this subsection (h); if a student with a
23 parent assigned to the federal military base withdraws from
24 the charter school during the course of a school year for
25 reasons other than grade promotion, those students with
26 parents assigned to the federal military base shall have

1 preference in filling the vacancy.

2 (i) (Blank).

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

15 (k) In this Section:

16 "Low-performing school" means a public school in a school
17 district organized under Article 34 of this Code that enrolls
18 students in any of grades kindergarten through 8 and that is
19 ranked within the lowest 10% of schools in that district in
20 terms of the percentage of students meeting or exceeding
21 standards on the Illinois Standards Achievement Test.

22 "Overcrowded school" means a public school in a school
23 district organized under Article 34 of this Code that (i)
24 enrolls students in any of grades kindergarten through 8, (ii)
25 has a percentage of low-income students of 70% or more, as
26 identified in the most recently available School Report Card

1 published by the State Board of Education, and (iii) is
2 determined by the Chicago Board of Education to be in the most
3 severely overcrowded 5% of schools in the district. On or
4 before November 1 of each year, the Chicago Board of Education
5 shall file a report with the State Board of Education on which
6 schools in the district meet the definition of "overcrowded
7 school". "Students at risk of dropping out" means students 16
8 or 15 years old in a public school in a district organized
9 under Article 34 of this Code that enrolls students in any
10 grades 9-12 who have been absent at least 90 school attendance
11 days of the previous 180 school attendance days.

12 (Source: P.A. 97-151, eff. 1-1-12; 97-624, eff. 11-28-11;
13 97-813, eff. 7-13-12; 98-474, eff. 8-16-13.)