

1 AMENDMENT TO SENATE BILL 78

2 AMENDMENT NO. _____. Amend Senate Bill 78 by inserting
3 immediately below the title the following:

4 "WHEREAS, The General Assembly recognizes the growing
5 role of charter schools in the educational infrastructure of
6 this State; and

7 WHEREAS, It is the intent of the General Assembly to
8 increase the maximum number of charter schools permitted
9 within this State based on current usage and need as of the
10 date of this amendatory Act of the 92nd General Assembly; and

11 WHEREAS, In so doing, the General Assembly is recognizing
12 current needs as of the date of this amendatory Act of the
13 92nd General Assembly and makes no determination regarding
14 those regions of the State that have not yet reached the
15 maximum number of charter schools allowed under State law;
16 and

17 WHEREAS, The General Assembly will address the allocation
18 of charter schools for the remaining regions of this State
19 when those regions reach or approach the maximum allocation
20 of charter schools under State law; therefore"; and

21 by replacing everything after the enacting clause with the

1 following:

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

4 (105 ILCS 5/27A-4)

5 Sec. 27A-4. General Provisions.

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

14 (b) The total number of charter schools operating under
15 this Article at any one time shall not exceed 60 45. Not
16 more than 30 15 charter schools shall operate at any one time
17 in any city having a population exceeding 500,000; not more
18 than 15 charter schools shall operate at any one time in the
19 counties of DuPage, Kane, Lake, McHenry, Will, and that
20 portion of Cook County that is located outside a city having
21 a population exceeding 500,000, with not more than one
22 charter school that has been initiated by a board of
23 education, or by an intergovernmental agreement between or
24 among boards of education, operating at any one time in the
25 school district where the charter school is located; and not
26 more than 15 charter schools shall operate at any one time in
27 the remainder of the State, with not more than one charter
28 school that has been initiated by a board of education, or by
29 an intergovernmental agreement between or among boards of
30 education, operating at any one time in the school district
31 where the charter school is located.

32 For purposes of implementing this Section, the State

1 Board shall assign a number to each charter submission it
2 receives under Section 27A-6 for its review and
3 certification, based on the chronological order in which the
4 submission is received by it. The State Board shall promptly
5 notify local school boards when the maximum numbers of
6 certified charter schools authorized to operate have been
7 reached.

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

11 (d) Enrollment in a charter school shall be open to any
12 pupil who resides within the geographic boundaries of the
13 area served by the local school board.

14 (e) Nothing in this Article shall prevent 2 or more
15 local school boards from jointly issuing a charter to a
16 single shared charter school, provided that all of the
17 provisions of this Article are met as to those local school
18 boards.

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

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

24 (h) If there are more eligible applicants for enrollment
25 in a charter school than there are spaces available,
26 successful applicants shall be selected by lottery. However,
27 priority shall be given to siblings of pupils enrolled in the
28 charter school and to pupils who were enrolled in the charter
29 school the previous school year, unless expelled for cause.
30 A charter school that leases or purchases a building that was
31 used as a school during the immediately prior school year may
32 give priority to pupils who were enrolled in the school the
33 prior year. Dual enrollment at both a charter school and a
34 public school or non-public school shall not be allowed. A

1 pupil who is suspended or expelled from a charter school
2 shall be deemed to be suspended or expelled from the public
3 schools of the school district in which the pupil resides.

4 (i) (Blank).

5 (Source: P.A. 91-357, eff. 7-29-99; 91-405, eff. 8-3-99;
6 91-407, eff. 8-3-99; revised 8-27-99.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law."