

1 AN ACT in relation to charter schools.

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  
5 Section 27A-4 as follows:

6 (105 ILCS 5/27A-4)

7 Sec. 27A-4. General provisions Previsions.

8 (a) The General Assembly does not intend to alter or  
9 amend the provisions of any court-ordered desegregation plan  
10 in 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 45. Not more  
18 than 15 charter schools shall operate at any one time in any  
19 city having a population exceeding 500,000; not more than 15  
20 charter schools shall operate at any one time in the counties  
21 of DuPage, Kane, Lake, McHenry, Will, and that portion of  
22 Cook County that is located outside a city having a  
23 population exceeding 500,000, with not more than one charter  
24 school that has been initiated by a board of education, or by  
25 an intergovernmental agreement between or among boards of  
26 education, operating at any one time in the school district  
27 where the charter school is located; and not more than 15  
28 charter schools shall operate at any one time in the  
29 remainder of the State, with not more than one charter school  
30 that has been initiated by a board of education, or by an  
31 intergovernmental agreement between or among boards of

1 education, operating at any one time in the school district  
2 where the charter school is located.

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

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

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

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

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

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

27 (h) If there are more eligible applicants for enrollment  
28 in a charter school than there are spaces available,  
29 successful applicants shall be selected by lottery. However,  
30 priority shall be given to siblings of pupils enrolled in the  
31 charter school and to pupils who were enrolled in the charter  
32 school the previous school year, unless expelled for cause.  
33 Dual enrollment at both a charter school and a public school  
34 or non-public school shall not be allowed. A pupil who is

1 suspended or expelled from a charter school shall be deemed  
2 to be suspended or expelled from the public schools of the  
3 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; 92-16, eff. 6-28-01.)