SB1425

95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1425

Introduced 2/9/2007, by Sen. Martin A. Sandoval

SYNOPSIS AS INTRODUCED:

105 ILCS 5/27A-4

    Amends the Charter Schools Law of the School Code. Provides that the
Chicago Board of Education may designate attendance boundaries for its
charter schools (now the Board may designate attendance boundaries for no
more than one-third of its charter schools). Also allows for an attendance
boundary for a campus of a charter school. Provides that pupils residing
within an attendance boundary must (instead of may) be given priority for
enrollment. Effective immediately.

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.

11   For purposes of implementing this Section, the State Board

12 shall assign a number to each charter submission it receives

13 under Section 27A-6 for its review and certification, based on

14 the chronological order in which the submission is received by

15 it. The State Board shall promptly notify local school boards

16 when the maximum numbers of certified charter schools

17 authorized to 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. However, ~~provided that~~ the

24 board of education in a city having a population exceeding

25 500,000 may designate an attendance boundary ~~boundaries~~ for any

26 ~~no more than one third of the~~ charter school or campus of a

1   charter school ~~schools permitted in the city~~ if the board of

2   education determines that an attendance boundary is ~~boundaries~~

3   ~~are~~ needed to relieve overcrowding or to better serve

4   low-income and at-risk students. Students residing within an

5   attendance boundary must ~~may~~ be given priority for enrollment,

6   but must not be required to attend the charter school or

7   campus.

8   (e) Nothing in this Article shall prevent 2 or more local

9   school boards from jointly issuing a charter to a single shared

10 charter school, provided that all of the provisions of this

11 Article are met as to those local school boards.

12   (f) No local school board shall require any employee of the

13 school district to be employed in a charter school.

14   (g) No local school board shall require any pupil residing

15 within the geographic boundary of its district to enroll in a

16 charter school.

17   (h) If there are more eligible applicants for enrollment in

18 a charter school than there are spaces available, successful

19 applicants shall be selected by lottery. However, priority

20 shall be given to (i) siblings of pupils enrolled in the

21 charter school, (ii) ~~and to~~ pupils who were enrolled in the

22 charter school the previous school year, unless expelled for

23 cause, and (iii) ~~priority may be given to~~ pupils residing

24 within an ~~the charter school's~~ attendance boundary for the

25 charter school or a campus of the charter school, as~~, if a~~

26 ~~boundary has been~~ designated under subsection (d) of this

1   Section ~~by the board of education in a city having a population~~

2   ~~exceeding 500,000~~. Dual enrollment at both a charter school and

3   a public school or non-public school shall not be allowed. A

4   pupil who is suspended or expelled from a charter school shall

5   be deemed to be suspended or expelled from the public schools

6   of the school district in which the pupil resides.

7   (i) (Blank).

8   (j) Notwithstanding any other provision of law to the

9   contrary, a school district in a city having a population

10   exceeding 500,000 shall not have a duty to collectively bargain

11   with an exclusive representative of its employees over

12   decisions to grant or deny a charter school proposal under

13   Section 27A-8 of this Code, decisions to renew or revoke a

14   charter under Section 27A-9 of this Code, and the impact of

15   these decisions, provided that nothing in this Section shall

16   have the effect of negating, abrogating, replacing, reducing,

17   diminishing, or limiting in any way employee rights,

18   guarantees, or privileges granted in Sections 2, 3, 7, 8, 10,

19   14, and 15 of the Illinois Educational Labor Relations Act.

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

21   eff. 1-1-05.)

22   Section 99. Effective date. This Act takes effect upon

23   becoming law.