

1 AN ACT concerning 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.

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

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