



Elementary Secondary Education Committee

Filed: 5/6/2009

09600SB1977ham001

LRB096 10986 NHT 26101 a

1 AMENDMENT TO SENATE BILL 1977

2 AMENDMENT NO. _____. Amend Senate Bill 1977 as follows:

3 on page 1, line 5, before "2-3.11c", by inserting "2-3.11,";
4 and

5 on page 1, line 5, after "2-3.66,", by inserting "2-3.73,"; and

6 on page 1, line 7, before "27-17", by inserting "27-13.3,"; and

7 on page 1, line 7, after "27-24.6,", by inserting "27A-5,"; and

8 on page 1, immediately below line 8, by inserting the
9 following:

10 "(105 ILCS 5/2-3.11) (from Ch. 122, par. 2-3.11)

11 Sec. 2-3.11. Report to Governor and General Assembly. To
12 ~~Using the most recently available data, to~~ report to the

1 Governor and General Assembly annually on or before January 14
2 the condition of the schools of the State using the most
3 recently available data ~~for the preceding year, ending on June~~
4 ~~30.~~

5 Such annual report shall contain reports of the State
6 Teacher Certification Board; the schools of the State
7 charitable institutions; reports on driver education, special
8 education, and transportation; and for such year the annual
9 statistical reports of the State Board of Education, including
10 the number and kinds of school districts; number of school
11 attendance centers; number of men and women teachers;
12 enrollment by grades; total enrollment; total days attendance;
13 total days absence; average daily attendance; number of
14 elementary and secondary school graduates; assessed valuation;
15 tax levies and tax rates for various purposes; amount of
16 teachers' orders, anticipation warrants, and bonds
17 outstanding; and number of men and women teachers and total
18 enrollment of private schools. The report shall give for all
19 school districts receipts from all sources and expenditures for
20 all purposes for each fund; the total operating expense, the
21 per capita cost, and instructional expenditures; federal and
22 state aids and reimbursements; new school buildings, and
23 recognized schools; together with such other information and
24 suggestions as the State Board of Education may deem important
25 in relation to the schools and school laws and the means of
26 promoting education throughout the state.

1 In this Section, "instructional expenditures" means the
2 annual expenditures of school districts properly attributable
3 to expenditure functions defined in rules of the State Board of
4 Education as: 1100 (Regular Education); 1200-1220 (Special
5 Education); 1250 (Ed. Deprived/Remedial); 1400 (Vocational
6 Programs); 1600 (Summer School); 1650 (Gifted); 1800
7 (Bilingual Programs); 1900 (Truant Alternative); 2110
8 (Attendance and Social Work Services); 2120 (Guidance
9 Services); 2130 (Health Services); 2140 (Psychological
10 Services); 2150 (Speech Pathology and Audiology Services);
11 2190 (Other Support Services Pupils); 2210 (Improvement of
12 Instruction); 2220 (Educational Media Services); 2230
13 (Assessment and Testing); 2540 (Operation and Maintenance of
14 Plant Services); 2550 (Pupil Transportation Service); 2560
15 (Food Service); 4110 (Payments for Regular Programs); 4120
16 (Payments for Special Education Programs); 4130 (Payments for
17 Adult Education Programs); 4140 (Payments for Vocational
18 Education Programs); 4170 (Payments for Community College
19 Programs); 4190 (Other payments to in-state government units);
20 and 4200 (Other payments to out of state government units).
21 (Source: P.A. 95-793, eff. 1-1-09.); and

22 on page 11, immediately below line 17, by inserting the
23 following:

24 "(105 ILCS 5/2-3.73) (from Ch. 122, par. 2-3.73)

1 Sec. 2-3.73. Missing child program. The State Board of
2 Education shall administer and implement a missing child
3 program in accordance with the provisions of this Section. Upon
4 receipt of each periodic information bulletin from the
5 Department of State Police pursuant to Section 6 of the
6 Intergovernmental Missing Child Recovery Act of 1984, the State
7 Board of Education shall promptly disseminate the information
8 to each school district in this State and to the principal or
9 chief administrative officer of every nonpublic elementary and
10 secondary school in this State registered with the State Board
11 of Education. Upon receipt of such information, each school
12 board shall compare the names on the bulletin to the names of
13 all students presently enrolled in the schools of the district.
14 If a school board or its designee determines that a missing
15 child is attending one of the schools within the school
16 district, or if the principal or chief administrative officer
17 of a nonpublic school is notified by school personnel that a
18 missing child is attending that school, the school board or the
19 principal or chief administrative officer of the nonpublic
20 school shall immediately give notice of this fact to ~~the State~~
21 ~~Board of Education,~~ the Department of State Police, and the law
22 enforcement agency having jurisdiction in the area where the
23 missing child resides or attends school.

24 (Source: P.A. 95-793, eff. 1-1-09.); and

25 on page 32, immediately below line 18, by inserting the

1 following:

2 "(105 ILCS 5/27-13.3)

3 Sec. 27-13.3. Internet safety education curriculum.

4 (a) The purpose of this Section is to inform and protect
5 students from inappropriate or illegal communications and
6 solicitation and to encourage school districts to provide
7 education about Internet threats and risks, including without
8 limitation child predators, fraud, and other dangers.

9 (b) The General Assembly finds and declares the following:

10 (1) it is the policy of this State to protect consumers
11 and Illinois residents from deceptive and unsafe
12 communications that result in harassment, exploitation, or
13 physical harm;

14 (2) children have easy access to the Internet at home,
15 school, and public places;

16 (3) the Internet is used by sexual predators and other
17 criminals to make initial contact with children and other
18 vulnerable residents in Illinois; and

19 (4) education is an effective method for preventing
20 children from falling prey to online predators, identity
21 theft, and other dangers.

22 (c) Each school may adopt an age-appropriate curriculum for
23 Internet safety instruction of students in grades kindergarten
24 through 12. However, beginning with the 2009-2010 school year,
25 a school district must incorporate into the school curriculum a

1 component on Internet safety to be taught at least once each
2 school year to students in grades grade 3 through 12 ~~or above~~.
3 The school board shall determine the scope and duration of this
4 unit of instruction. The age-appropriate unit of instruction
5 may be incorporated into the current courses of study regularly
6 taught in the district's schools, as determined by the school
7 board, and it is recommended that the unit of instruction
8 include the following topics:

9 (1) Safe and responsible use of social networking
10 websites, chat rooms, electronic mail, bulletin boards,
11 instant messaging, and other means of communication on the
12 Internet.

13 (2) Recognizing, avoiding, and reporting online
14 solicitations of students, their classmates, and their
15 friends by sexual predators.

16 (3) Risks of transmitting personal information on the
17 Internet.

18 (4) Recognizing and avoiding unsolicited or deceptive
19 communications received online.

20 (5) Recognizing and reporting online harassment and
21 cyber-bullying.

22 (6) Reporting illegal activities and communications on
23 the Internet.

24 (7) Copyright laws on written materials, photographs,
25 music, and video.

26 (d) Curricula devised in accordance with subsection (c) of

1 this Section may be submitted for review to the Office of the
2 Illinois Attorney General.

3 (e) The State Board of Education shall make available
4 resource materials for educating children regarding child
5 online safety and may take into consideration the curriculum on
6 this subject developed by other states, as well as any other
7 curricular materials suggested by education experts, child
8 psychologists, or technology companies that work on child
9 online safety issues. Materials may include without limitation
10 safe online communications, privacy protection,
11 cyber-bullying, viewing inappropriate material, file sharing,
12 and the importance of open communication with responsible
13 adults. The State Board of Education shall make these resource
14 materials available on its Internet website.

15 (Source: P.A. 95-509, eff. 8-28-07; 95-869, eff. 1-1-09.)"; and

16 on page 33, by deleting lines 13 through 15; and

17 on page 34, line 3, by replacing "Driver" with "Safety
18 education; driver ~~Driver~~"; and

19 on page 34, line 3, by replacing "Any" with "Instruction shall
20 be given in safety education in each of grades one through 8,
21 equivalent to one class period each week, and any ~~Any~~"; and

22 on page 41, immediately below line 1, by inserting the

1 following:

2 "(105 ILCS 5/27A-5)

3 Sec. 27A-5. Charter school; legal entity; requirements.

4 (a) A charter school shall be a public, nonsectarian,
5 nonreligious, non-home based, and non-profit school. A charter
6 school shall be organized and operated as a nonprofit
7 corporation or other discrete, legal, nonprofit entity
8 authorized under the laws of the State of Illinois.

9 (b) A charter school may be established under this Article
10 by creating a new school or by converting an existing public
11 school or attendance center to charter school status. Beginning
12 on the effective date of this amendatory Act of the 93rd
13 General Assembly, in all new applications submitted to the
14 State Board or a local school board to establish a charter
15 school in a city having a population exceeding 500,000,
16 operation of the charter school shall be limited to one campus.
17 The changes made to this Section by this amendatory Act of the
18 93rd General Assembly do not apply to charter schools existing
19 or approved on or before the effective date of this amendatory
20 Act.

21 (c) A charter school shall be administered and governed by
22 its board of directors or other governing body in the manner
23 provided in its charter. The governing body of a charter school
24 shall be subject to the Freedom of Information Act and the Open
25 Meetings Act.

1 (d) A charter school shall comply with all applicable
2 health and safety requirements applicable to public schools
3 under the laws of the State of Illinois.

4 (e) Except as otherwise provided in the School Code, a
5 charter school shall not charge tuition; provided that a
6 charter school may charge reasonable fees for textbooks,
7 instructional materials, and student activities.

8 (f) A charter school shall be responsible for the
9 management and operation of its fiscal affairs including, but
10 not limited to, the preparation of its budget. An audit of each
11 charter school's finances shall be conducted annually by an
12 outside, independent contractor retained by the charter
13 school.

14 (g) A charter school shall comply with all provisions of
15 this Article and its charter. A charter school is exempt from
16 all other State laws and regulations in the School Code
17 governing public schools and local school board policies,
18 except the following:

19 (1) Sections 10-21.9 and 34-18.5 of the School Code
20 regarding criminal history records checks and checks of the
21 Statewide Sex Offender Database and Statewide Child
22 Murderer and Violent Offender Against Youth Database of
23 applicants for employment;

24 (2) Sections 24-24 and 34-84A of the School Code
25 regarding discipline of students;

26 (3) The Local Governmental and Governmental Employees

1 Tort Immunity Act;

2 (4) Section 108.75 of the General Not For Profit
3 Corporation Act of 1986 regarding indemnification of
4 officers, directors, employees, and agents;

5 (5) The Abused and Neglected Child Reporting Act;

6 (6) The Illinois School Student Records Act; and

7 (7) Section 10-17a of the School Code regarding school
8 report cards.

9 (h) A charter school may negotiate and contract with a
10 school district, the governing body of a State college or
11 university or public community college, or any other public or
12 for-profit or nonprofit private entity for: (i) the use of a
13 school building and grounds or any other real property or
14 facilities that the charter school desires to use or convert
15 for use as a charter school site, (ii) the operation and
16 maintenance thereof, and (iii) the provision of any service,
17 activity, or undertaking that the charter school is required to
18 perform in order to carry out the terms of its charter.
19 However, a charter school that is established on or after the
20 effective date of this amendatory Act of the 93rd General
21 Assembly and that operates in a city having a population
22 exceeding 500,000 may not contract with a for-profit entity to
23 manage or operate the school during the period that commences
24 on the effective date of this amendatory Act of the 93rd
25 General Assembly and concludes at the end of the 2004-2005
26 school year. Except as provided in subsection (i) of this

1 Section, a school district may charge a charter school
2 reasonable rent for the use of the district's buildings,
3 grounds, and facilities. Any services for which a charter
4 school contracts with a school district shall be provided by
5 the district at cost. Any services for which a charter school
6 contracts with a local school board or with the governing body
7 of a State college or university or public community college
8 shall be provided by the public entity at cost.

9 (i) In no event shall a charter school that is established
10 by converting an existing school or attendance center to
11 charter school status be required to pay rent for space that is
12 deemed available, as negotiated and provided in the charter
13 agreement, in school district facilities. However, all other
14 costs for the operation and maintenance of school district
15 facilities that are used by the charter school shall be subject
16 to negotiation between the charter school and the local school
17 board and shall be set forth in the charter.

18 (j) A charter school may limit student enrollment by age or
19 grade level.

20 (Source: P.A. 93-3, eff. 4-16-03; 93-909, eff. 8-12-04; 94-219,
21 eff. 7-14-05.)".