



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB5427

by Rep. John M. Cabello

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the State Finance Act, the School Code, and the Board of Higher Education Act. Sets forth provisions concerning staff instruction in suicide prevention; an annual report on violence, vandalism, and harassment, intimidation, or bullying; a guidance document for student harassment, intimidation, and bullying complaints; an online tutorial on harassment, intimidation, and bullying; school board training on harassment, intimidation, and bullying; an educator licensure program on harassment, intimidation, and bullying prevention; the reporting, by school employees, of acts of violence, vandalism, and harassment, intimidation, or bullying; causes for suspension or expulsion of pupils; a school district policy and a public institution of higher education policy prohibiting harassment, intimidation, or bullying; a prohibition on reprisals, retaliation, and false accusations; the establishment of bullying prevention programs; the appointment of a school anti-bullying specialist and a district anti-bullying coordinator; the formation of school safety teams; the establishment of a formal protocol for investigating a complaint; and the creation of the Bullying Prevention Fund. Effective June 1, 2015.

LRB098 17207 NHT 52299 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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 State Finance Act is amended by adding  
5 Section 5.855 as follows:

6 (30 ILCS 105/5.855 new)

7 Sec. 5.855. The Bullying Prevention Fund.

8 Section 10. The School Code is amended by adding Sections  
9 2-3.160, 2-3.165, 2-3.170, 2-3.175, 21B-28, 22-80.5, 22-80.10,  
10 22-80.15, 22-80.20, 22-80.25, 22-80.30, 22-80.35, 22-80.40,  
11 22-80.45, and 22-80.50 and by changing Sections 10-16a,  
12 10-22.6, 27-23.7, 34-3.2, 34-18.7, and 34-19 as follows:

13 (105 ILCS 5/2-3.160 new)

14 Sec. 2-3.160. Instruction in suicide prevention for public  
15 school teaching staff. The State Board of Education, in  
16 consultation with the Illinois Suicide Prevention Alliance,  
17 shall, as part of professional development, require each public  
18 school teaching staff member to complete at least 2 hours of  
19 instruction in suicide prevention, to be provided by a licensed  
20 health care professional with training and experience in mental  
21 health issues, in each professional development period. The

1 instruction in suicide prevention shall include information on  
2 the relationship between the risk of suicide and incidents of  
3 harassment, intimidation, and bullying and information on  
4 reducing the risk of suicide in students who are members of  
5 communities identified as having members at high risk of  
6 suicide.

7 (105 ILCS 5/2-3.165 new)

8 Sec. 2-3.165. Report on violence, vandalism, and  
9 harassment, intimidation, or bullying in public schools. The  
10 State Board of Education shall, each year, submit a report to  
11 the General Assembly detailing the extent of violence,  
12 vandalism, and harassment, intimidation, or bullying in the  
13 public schools and making recommendations to alleviate the  
14 problem. The report shall be made available annually to the  
15 public no later than October 1 and shall be posted on the State  
16 Board of Education's Internet website.

17 (105 ILCS 5/2-3.170 new)

18 Sec. 2-3.170. Guidance document; student harassment,  
19 intimidation, and bullying complaints.

20 (a) The State Board of Education, in consultation with the  
21 Department of Human Rights, shall develop a guidance document  
22 for use by parents or guardians, students, and school districts  
23 to assist in resolving complaints concerning student  
24 harassment, intimidation, or bullying behaviors and the

1 implementation of Sections 22-80.5 through 22-80.40 of this  
2 Code by school districts. The document shall include:

3 (1) a school district's obligations under this  
4 amendatory Act of the 98th General Assembly;

5 (2) best practices for the prevention, intervention,  
6 and remediation of harassment, intimidation, or bullying  
7 in schools, including methods to identify and assist  
8 student populations at high risk for harassment,  
9 intimidation, or bullying;

10 (3) a clear explanation of the procedures for  
11 petitioning the State Superintendent of Education to hear  
12 and decide disputes;

13 (4) a clear explanation of the Department of Human  
14 Rights' jurisdiction and services in regard to specific  
15 types of harassment, intimidation, or bullying; and

16 (5) a clear explanation of the process for appealing  
17 final agency determinations.

18 (b) The guidance document shall be available on the State  
19 Board of Education's and the Department of Human Rights'  
20 Internet websites and on every school district's Internet  
21 website at an easily accessible location.

22 (105 ILCS 5/2-3.175 new)

23 Sec. 2-3.175. Online tutorial on harassment, intimidation,  
24 and bullying. The State Superintendent of Education shall  
25 develop, in consultation with the Department of Human Rights,

1 and make available on the State Board of Education's Internet  
2 website an online tutorial on harassment, intimidation, and  
3 bullying. The online tutorial shall, at a minimum, include best  
4 practices in the prevention of harassment, intimidation, and  
5 bullying, applicable laws, and such other information that the  
6 State Superintendent of Education determines to be  
7 appropriate. The online tutorial shall be accompanied by a test  
8 to assess a person's understanding of the information provided  
9 in the tutorial.

10 (105 ILCS 5/10-16a)

11 Sec. 10-16a. School board member ~~member's~~ leadership  
12 training.

13 (a) This Section applies to all school board members  
14 serving pursuant to Section 10-10 of this Code who have been  
15 elected after the effective date of this amendatory Act of the  
16 97th General Assembly or appointed to fill a vacancy of at  
17 least one year's duration after the effective date of this  
18 amendatory Act of the 97th General Assembly.

19 (b) Every voting member of a school board of a school  
20 district elected or appointed for a term beginning after the  
21 effective date of this amendatory Act of the 97th General  
22 Assembly, within a year after the effective date of this  
23 amendatory Act of the 97th General Assembly or the first year  
24 of his or her first term, shall complete a minimum of 4 hours  
25 of professional development leadership training covering

1 topics in education and labor law, financial oversight and  
2 accountability, and fiduciary responsibilities of a school  
3 board member. The school district shall maintain on its  
4 Internet website, if any, the names of all voting members of  
5 the school board who have successfully completed the training.

6 (c) The training on financial oversight, accountability,  
7 and fiduciary responsibilities may be provided by an  
8 association established under this Code for the purpose of  
9 training school board members or by other qualified providers  
10 approved by the State Board of Education, in consultation with  
11 an association so established.

12 (d) Each member of a school board shall receive training on  
13 harassment, intimidation, and bullying in schools. The  
14 training on harassment, intimidation, and bullying in schools  
15 shall be provided by the Illinois Association of School Boards,  
16 in consultation with recognized experts in school bullying from  
17 a cross section of academia, child advocacy organizations,  
18 nonprofit organizations, professional associations, and  
19 government agencies.

20 (Source: P.A. 97-8, eff. 6-13-11.)

21 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

22 Sec. 10-22.6. Suspension or expulsion of pupils; school  
23 searches.

24 (a) To expel pupils guilty of gross disobedience or  
25 misconduct, including gross disobedience or misconduct

1 perpetuated by electronic means, and no action shall lie  
2 against them for such expulsion. Expulsion shall take place  
3 only after the parents have been requested to appear at a  
4 meeting of the board, or with a hearing officer appointed by  
5 it, to discuss their child's behavior. Such request shall be  
6 made by registered or certified mail and shall state the time,  
7 place and purpose of the meeting. The board, or a hearing  
8 officer appointed by it, at such meeting shall state the  
9 reasons for dismissal and the date on which the expulsion is to  
10 become effective. If a hearing officer is appointed by the  
11 board he shall report to the board a written summary of the  
12 evidence heard at the meeting and the board may take such  
13 action thereon as it finds appropriate. An expelled pupil may  
14 be immediately transferred to an alternative program in the  
15 manner provided in Article 13A or 13B of this Code. A pupil  
16 must not be denied transfer because of the expulsion, except in  
17 cases in which such transfer is deemed to cause a threat to the  
18 safety of students or staff in the alternative program.

19 (b) To suspend or by policy to authorize the superintendent  
20 of the district or the principal, assistant principal, or dean  
21 of students of any school to suspend pupils guilty of gross  
22 disobedience or misconduct, or to suspend pupils guilty of  
23 gross disobedience or misconduct on the school bus from riding  
24 the school bus, and no action shall lie against them for such  
25 suspension. The board may by policy authorize the  
26 superintendent of the district or the principal, assistant

1 principal, or dean of students of any school to suspend pupils  
2 guilty of such acts for a period not to exceed 10 school days.  
3 If a pupil is suspended due to gross disobedience or misconduct  
4 on a school bus, the board may suspend the pupil in excess of  
5 10 school days for safety reasons. Any suspension shall be  
6 reported immediately to the parents or guardian of such pupil  
7 along with a full statement of the reasons for such suspension  
8 and a notice of their right to a review. The school board must  
9 be given a summary of the notice, including the reason for the  
10 suspension and the suspension length. Upon request of the  
11 parents or guardian the school board or a hearing officer  
12 appointed by it shall review such action of the superintendent  
13 or principal, assistant principal, or dean of students. At such  
14 review the parents or guardian of the pupil may appear and  
15 discuss the suspension with the board or its hearing officer.  
16 If a hearing officer is appointed by the board he shall report  
17 to the board a written summary of the evidence heard at the  
18 meeting. After its hearing or upon receipt of the written  
19 report of its hearing officer, the board may take such action  
20 as it finds appropriate. A pupil who is suspended in excess of  
21 20 school days may be immediately transferred to an alternative  
22 program in the manner provided in Article 13A or 13B of this  
23 Code. A pupil must not be denied transfer because of the  
24 suspension, except in cases in which such transfer is deemed to  
25 cause a threat to the safety of students or staff in the  
26 alternative program.



1 (c) The Department of Human Services shall be invited to  
2 send a representative to consult with the board at such meeting  
3 whenever there is evidence that mental illness may be the cause  
4 for expulsion or suspension.

5 (d) The board may expel a student for a definite period of  
6 time not to exceed 2 calendar years, as determined on a case by  
7 case basis. A student who is determined to have brought one of  
8 the following objects to school, any school-sponsored activity  
9 or event, or any activity or event that bears a reasonable  
10 relationship to school shall be expelled for a period of not  
11 less than one year:

12 (1) A firearm. For the purposes of this Section,  
13 "firearm" means any gun, rifle, shotgun, weapon as defined  
14 by Section 921 of Title 18 of the United States Code,  
15 firearm as defined in Section 1.1 of the Firearm Owners  
16 Identification Card Act, or firearm as defined in Section  
17 24-1 of the Criminal Code of 2012. The expulsion period  
18 under this subdivision (1) may be modified by the  
19 superintendent, and the superintendent's determination may  
20 be modified by the board on a case-by-case basis.

21 (2) A knife, brass knuckles or other knuckle weapon  
22 regardless of its composition, a billy club, or any other  
23 object if used or attempted to be used to cause bodily  
24 harm, including "look alike" of any firearm as defined in  
25 subdivision (1) of this subsection (d). The expulsion  
26 requirement under this subdivision (2) may be modified by

1 the superintendent, and the superintendent's determination  
2 may be modified by the board on a case-by-case basis.

3 Expulsion or suspension shall be construed in a manner  
4 consistent with the Federal Individuals with Disabilities  
5 Education Act. A student who is subject to suspension or  
6 expulsion as provided in this Section may be eligible for a  
7 transfer to an alternative school program in accordance with  
8 Article 13A of the School Code. The provisions of this  
9 subsection (d) apply in all school districts, including special  
10 charter districts and districts organized under Article 34.

11 (d-5) The board may suspend or by regulation authorize the  
12 superintendent of the district or the principal, assistant  
13 principal, or dean of students of any school to suspend a  
14 student for a period not to exceed 10 school days or may expel  
15 a student for a definite period of time not to exceed 2  
16 calendar years, as determined on a case by case basis, if (i)  
17 that student has been determined to have made an explicit  
18 threat on an Internet website against a school employee, a  
19 student, or any school-related personnel, (ii) the Internet  
20 website through which the threat was made is a site that was  
21 accessible within the school at the time the threat was made or  
22 was available to third parties who worked or studied within the  
23 school grounds at the time the threat was made, and (iii) the  
24 threat could be reasonably interpreted as threatening to the  
25 safety and security of the threatened individual because of his  
26 or her duties or employment status or status as a student

1 inside the school. The provisions of this subsection (d-5)  
2 apply in all school districts, including special charter  
3 districts and districts organized under Article 34 of this  
4 Code.

5 (d-10) A student may also be suspended or expelled for  
6 those reasons specified under Section 22-80.15 of this Code.

7 (e) To maintain order and security in the schools, school  
8 authorities may inspect and search places and areas such as  
9 lockers, desks, parking lots, and other school property and  
10 equipment owned or controlled by the school, as well as  
11 personal effects left in those places and areas by students,  
12 without notice to or the consent of the student, and without a  
13 search warrant. As a matter of public policy, the General  
14 Assembly finds that students have no reasonable expectation of  
15 privacy in these places and areas or in their personal effects  
16 left in these places and areas. School authorities may request  
17 the assistance of law enforcement officials for the purpose of  
18 conducting inspections and searches of lockers, desks, parking  
19 lots, and other school property and equipment owned or  
20 controlled by the school for illegal drugs, weapons, or other  
21 illegal or dangerous substances or materials, including  
22 searches conducted through the use of specially trained dogs.  
23 If a search conducted in accordance with this Section produces  
24 evidence that the student has violated or is violating either  
25 the law, local ordinance, or the school's policies or rules,  
26 such evidence may be seized by school authorities, and

1 disciplinary action may be taken. School authorities may also  
2 turn over such evidence to law enforcement authorities. The  
3 provisions of this subsection (e) apply in all school  
4 districts, including special charter districts and districts  
5 organized under Article 34.

6 (f) Suspension or expulsion may include suspension or  
7 expulsion from school and all school activities and a  
8 prohibition from being present on school grounds.

9 (g) A school district may adopt a policy providing that if  
10 a student is suspended or expelled for any reason from any  
11 public or private school in this or any other state, the  
12 student must complete the entire term of the suspension or  
13 expulsion in an alternative school program under Article 13A of  
14 this Code or an alternative learning opportunities program  
15 under Article 13B of this Code before being admitted into the  
16 school district if there is no threat to the safety of students  
17 or staff in the alternative program. This subsection (g)  
18 applies to all school districts, including special charter  
19 districts and districts organized under Article 34 of this  
20 Code.

21 (Source: P.A. 96-633, eff. 8-24-09; 96-998, eff. 7-2-10;  
22 97-340, eff. 1-1-12; 97-495, eff. 1-1-12; 97-813, eff. 7-13-12;  
23 97-1150, eff. 1-25-13.)

24 (105 ILCS 5/21B-28 new)

25 Sec. 21B-28. Harassment, intimidation, and bullying

1 prevention program and professional development required.

2 (a) All candidates for professional educator licensure who  
3 have completed an approved educator preparation program shall  
4 satisfactorily complete a program on harassment, intimidation,  
5 and bullying prevention.

6 (b) All candidates for educator licensure with  
7 stipulations with an alternative provisional educator  
8 endorsement shall, within one year of being employed,  
9 satisfactorily complete a program on harassment, intimidation,  
10 and bullying prevention.

11 (c) All candidates for general administrative, principal,  
12 and superintendent endorsements shall have satisfactorily  
13 completed a program on harassment, intimidation, and bullying  
14 prevention.

15 (d) The State Board of Education shall establish the  
16 appropriate requirements of the program on harassment,  
17 intimidation, and bullying prevention.

18 (e) The State Board of Education shall, as part of the  
19 professional development for public school teachers, require  
20 each public school teacher to complete at least 2 hours of  
21 instruction on harassment, intimidation, or bullying  
22 prevention in each professional development period.

23 (105 ILCS 5/22-80.5 new)

24 Sec. 22-80.5. Harassment, intimidation, and bullying  
25 prevention requirements; application.

1       (a) Sections 22-80.10 through 22-80.50 of this Code apply  
2 only to public schools and school districts. Nonpublic schools  
3 are encouraged to comply with Sections 22-80.10 through  
4 22-80.45 of this Code. In the case of a faith-based nonpublic  
5 school, no provision of this Section shall be interpreted to  
6 prohibit or abridge the legitimate statement, expression, or  
7 free exercise of the beliefs or tenets of that faith by the  
8 religious organization operating the school or by the school's  
9 faculty, staff, or student body.

10       (b) Nothing contained in Sections 22-80.10 through  
11 22-80.50 of this Code shall alter or reduce the rights of a  
12 student with a disability with regard to disciplinary actions  
13 or to general or special educational services and supports.

14       (c) Nothing contained in Sections 22-80.10 through  
15 22-80.50 of this Code shall be construed as affecting the  
16 provisions of any collective bargaining agreement or  
17 individual contract of employment in effect on the effective  
18 date of this amendatory Act of the 98th General Assembly.

19       (105 ILCS 5/22-80.10 new)

20       Sec. 22-80.10. Harassment, intimidation, and bullying  
21 prevention; reporting of acts by school employees.

22       (a) Any school employee observing or having direct  
23 knowledge from a participant or victim of an act of violence,  
24 vandalism, or harassment, intimidation, or bullying shall, in  
25 accordance with standards established by the State

1 Superintendent of Education, file a report describing the  
2 incident to the school principal in a manner prescribed by the  
3 State Superintendent of Education, and a copy of the report  
4 shall be forwarded to the district superintendent.

5 The principal shall notify the district superintendent of  
6 the action taken regarding the incident. Two times each school  
7 year, between September 1 and January 1 and between January 1  
8 and June 30, at a public hearing, the superintendent shall  
9 report to the school board all acts of violence, vandalism, and  
10 harassment, intimidation, or bullying that occurred during the  
11 previous reporting period. The report shall include the number  
12 of reports of harassment, intimidation, or bullying, the status  
13 of all investigations, the nature of the bullying, the names of  
14 the investigators, the type and nature of any discipline  
15 imposed on any student engaged in harassment, intimidation, or  
16 bullying, and any other measures imposed, training conducted,  
17 or programs implemented to reduce harassment, intimidation, or  
18 bullying. The information shall also be reported once during  
19 each reporting period to the State Board of Education. The  
20 report must include data broken down by each school in the  
21 district, in addition to district-wide data. It shall be a  
22 violation to improperly release any confidential information  
23 not authorized by federal or State law for public release.

24 (b) The report under subsection (a) of this Section shall  
25 be used to grade each school for the purpose of assessing its  
26 effort to implement policies and programs consistent with the

1 provisions of Sections 22-80.20 and 22-80.30 of this Code. The  
2 district shall receive a grade determined by averaging the  
3 grades of all the schools in the district. The State  
4 Superintendent of Education shall promulgate guidelines for a  
5 program to grade schools for the purposes of this Section.

6 The grade received by a school and the district shall be  
7 posted on the homepage of the school's Internet website. The  
8 grade for the district and each school of the district shall be  
9 posted on the homepage of the district's Internet website. A  
10 link to the report shall be available on the district's  
11 Internet website. The information shall be posted on the  
12 Internet websites within 10 days after the receipt of a grade  
13 by the school and district.

14 (c) Verification of the reports on violence, vandalism, and  
15 harassment, intimidation, or bullying shall be part of this  
16 State's monitoring of the school district, and the State Board  
17 of Education shall adopt rules that impose a penalty on a  
18 school employee who knowingly falsifies the report. A school  
19 board shall provide ongoing staff training, in cooperation with  
20 the State Board of Education, in fulfilling the reporting  
21 requirements pursuant to this Section. The majority  
22 representative of the school employees shall have access  
23 monthly to the number and disposition of all reported acts of  
24 school violence, vandalism, and harassment, intimidation, or  
25 bullying.

26 (d) It shall be unlawful for any school board to discharge



1 or in any manner discriminate against a school employee as to  
2 his or her employment because the employee had filed a report  
3 pursuant to this Section. Any employee discriminated against  
4 shall be restored to his or her employment and shall be  
5 compensated by the school board for any loss of wages arising  
6 out of the discrimination; however, if the employee shall cease  
7 to be qualified to perform the duties of his or her employment,  
8 he or she shall not be entitled to restoration and  
9 compensation.

10 (105 ILCS 5/22-80.15 new)

11 Sec. 22-80.15. Harassment, intimidation, and bullying  
12 prevention; cause for suspension or expulsion of pupils.

13 (a) In this Section:

14 "Electronic communication" means a communication  
15 transmitted by means of an electronic device, including, but  
16 not limited to, a telephone, cellular phone, computer, or  
17 pager.

18 "Harassment, intimidation, or bullying" means any gesture,  
19 any written, verbal, or physical act, or any electronic  
20 communication, whether it be a single incident or a series of  
21 incidents, that is reasonably perceived as being motivated  
22 either by any actual or perceived characteristic, such as race,  
23 color, religion, ancestry, national origin, gender, sexual  
24 orientation, gender identity and expression, or a mental,  
25 physical, or sensory disability, or by any other distinguishing

1 characteristic, that takes place on school property, at any  
2 school-sponsored function, on a school bus, or off school  
3 grounds, that substantially disrupts or interferes with the  
4 orderly operation of the school or the rights of other  
5 students, and that:

6 (1) a reasonable person should know, under the  
7 circumstances, will have the effect of physically or  
8 emotionally harming a student or damaging the student's  
9 property or placing a student in reasonable fear of  
10 physical or emotional harm to his or her person or damage  
11 to his or her property;

12 (2) has the effect of insulting or demeaning any  
13 student or group of students; or

14 (3) creates a hostile educational environment for the  
15 student by interfering with a student's education or by  
16 severely or pervasively causing physical or emotional harm  
17 to the student.

18 (b) Any pupil who is guilty of continued and willful  
19 disobedience or of open defiance of the authority of any  
20 teacher or person having authority over him or her or of the  
21 habitual use of profanity or of obscene language or who shall  
22 cut, deface, or otherwise injure any school property shall be  
23 liable to punishment and to suspension or expulsion from  
24 school.

25 Conduct which shall constitute good cause for suspension or  
26 expulsion of a pupil guilty of such conduct shall include, but

1 not be limited to, any of the following:

2 (1) Continued and willful disobedience.

3 (2) Open defiance of the authority of any teacher or  
4 person having authority over him or her.

5 (3) Conduct of such character as to constitute a  
6 continuing danger to the physical well-being of other  
7 pupils.

8 (4) Physical assault upon another pupil.

9 (5) Taking or attempting to take personal property or  
10 money from another pupil or from his or her presence by  
11 means of force or fear.

12 (6) Willfully causing or attempting to cause  
13 substantial damage to school property.

14 (7) Participation in an unauthorized occupancy by any  
15 group of pupils or others of any part of any school or  
16 other building owned by any school district, and failure to  
17 leave such school or other facility promptly after having  
18 been directed to do so by the principal or other person  
19 then in charge of such building or facility.

20 (8) Incitement that is intended to and does result in  
21 unauthorized occupation by any group of pupils or others of  
22 any part of a school or other facility owned by any school  
23 district.

24 (9) Incitement that is intended to and does result in  
25 truancy by other pupils.

26 (10) Knowing possession or knowing consumption without

1 legal authority of alcoholic beverages or controlled  
2 dangerous substances on school premises or being under the  
3 influence of intoxicating liquor or controlled dangerous  
4 substances while on school premises.

5 (11) Harassment, intimidation, or bullying.

6 (105 ILCS 5/22-80.20 new)

7 Sec. 22-80.20. Adoption of policy prohibiting harassment,  
8 intimidation, or bullying.

9 (a) Each school district shall adopt a policy prohibiting  
10 harassment, intimidation, or bullying on school property, at a  
11 school-sponsored function, or on a school bus. The school  
12 district shall adopt the policy through a process that includes  
13 representation of parents or guardians, school employees,  
14 volunteers, students, administrators, and community  
15 representatives.

16 (b) A school district shall have local control over the  
17 content of the policy, except that the policy shall contain, at  
18 a minimum, all of the following components:

19 (1) A statement prohibiting harassment, intimidation  
20 or bullying of a student.

21 (2) A definition of harassment, intimidation, or  
22 bullying no less inclusive than that set forth in Section  
23 22-80.15 of this Code.

24 (3) A description of the type of behavior expected from  
25 each student.

1           (4) Consequences and appropriate remedial action for a  
2           person who commits an act of harassment, intimidation, or  
3           bullying.

4           (5) A procedure for reporting an act of harassment,  
5           intimidation, or bullying, including a provision that  
6           permits a person to report an act of harassment,  
7           intimidation, or bullying anonymously; however, this shall  
8           not be construed to permit formal disciplinary action  
9           solely on the basis of an anonymous report. All acts of  
10           harassment, intimidation, or bullying shall be reported  
11           verbally to the school principal on the same day when the  
12           school employee or contracted service provider witnessed  
13           or received reliable information regarding any such  
14           incident. The principal shall inform the parents or  
15           guardians of all students involved in the alleged incident  
16           and may discuss, as appropriate, the availability of  
17           counseling and other intervention services. All acts of  
18           harassment, intimidation, or bullying shall be reported in  
19           writing to the school principal within 2 school days of  
20           when the school employee or contracted service provider  
21           witnessed or received reliable information that a student  
22           had been subject to harassment, intimidation, or bullying.

23           (6) A procedure for prompt investigation of reports of  
24           violations and complaints, which procedure shall, at a  
25           minimum, provide all of the following:

26           (A) The investigation shall be initiated by the

1 principal or the principal's designee within one  
2 school day after the report of the incident and shall  
3 be conducted by a school anti-bullying specialist. The  
4 principal may appoint additional personnel who are not  
5 school anti-bullying specialists to assist in the  
6 investigation. The investigation shall be completed as  
7 soon as possible, but not later than 10 school days  
8 from the date of the written report of the incident of  
9 harassment, intimidation, or bullying. In the event  
10 that there is information relative to the  
11 investigation that is anticipated but not yet received  
12 by the end of the 10-day period, the school  
13 anti-bullying specialist may amend the original report  
14 of the results of the investigation to reflect the  
15 information.

16 (B) The results of the investigation shall be  
17 reported to the district superintendent within 2  
18 school days after the completion of the investigation,  
19 and, in accordance with rules adopted by the State  
20 Board of Education, the superintendent may decide to  
21 provide intervention services, establish training  
22 programs to reduce harassment, intimidation, or  
23 bullying and enhance school climate, impose  
24 discipline, order counseling as a result of the  
25 findings of the investigation, or take or recommend  
26 other appropriate action.

1           (C) The results of each investigation shall be  
2 reported to the school board no later than the date of  
3 the school board meeting next following the completion  
4 of the investigation, along with information on any  
5 services provided, training established, discipline  
6 imposed, or other action taken or recommended by the  
7 superintendent.

8           (D) Parents or guardians of the students who are  
9 parties to the investigation shall be entitled to  
10 receive information about the investigation, in  
11 accordance with federal and State laws and rules,  
12 including the nature of the investigation, whether the  
13 district found evidence of harassment, intimidation,  
14 or bullying, or whether discipline was imposed or  
15 services provided to address the incident of  
16 harassment, intimidation, or bullying. This  
17 information shall be provided in writing within 5  
18 school days after the results of the investigation are  
19 reported to the school board. A parent or guardian may  
20 request a hearing before the school board after  
21 receiving the information, and the hearing shall be  
22 held within 10 days after the request. The school board  
23 shall meet in executive session for the hearing to  
24 protect the confidentiality of the students. At the  
25 hearing, the school board may hear from the school  
26 anti-bullying specialist about the incident,

1 recommendations for discipline or services, and any  
2 programs instituted to reduce such incidents.

3 (E) At the next school board meeting following its  
4 receipt of the report, the school board shall issue a  
5 decision, in writing, to affirm, reject, or modify the  
6 superintendent's decision. The school board's decision  
7 may be appealed to the State Superintendent of  
8 Education, in accordance with procedures set forth in  
9 laws and rules, no later than 90 days after the  
10 issuance of the school board's decision.

11 (F) A parent, student, guardian, or organization  
12 may file a complaint with the Department of Human  
13 Rights within 180 days after the occurrence of any  
14 incident of harassment, intimidation, or bullying  
15 based on membership in a protected group.

16 (7) The range of ways in which a school will respond  
17 once an incident of harassment, intimidation or bullying is  
18 identified, which shall be defined by the principal in  
19 conjunction with the school anti-bullying specialist, but  
20 shall include an appropriate combination of services that  
21 are available within the district, such as counseling,  
22 support services, intervention services, and other  
23 programs, as defined by the State Superintendent of  
24 Education. In the event that the necessary programs and  
25 services are not available within the district, the  
26 district may apply to the State Board of Education for a



1 grant from the Bullying Prevention Fund established  
2 pursuant to Section 22-80.50 of this Code to support the  
3 provision of out-of-district programs and services.

4 (8) A statement that prohibits reprisal or retaliation  
5 against any person who reports an act of harassment,  
6 intimidation, or bullying and the consequence and  
7 appropriate remedial action for a person who engages in  
8 reprisal or retaliation.

9 (9) Consequences and appropriate remedial action for a  
10 person found to have falsely accused another as a means of  
11 retaliation or as a means of harassment, intimidation, or  
12 bullying.

13 (10) A statement of how the policy is to be publicized,  
14 including notice that the policy applies to participation  
15 in school-sponsored functions.

16 (11) A requirement that a link to the policy be  
17 prominently posted on the home page of the school  
18 district's Internet website and distributed annually to  
19 parents and guardians who have children enrolled in a  
20 school in the school district.

21 (12) A requirement that the name, school phone number,  
22 school address, and school e-mail address of the district  
23 anti-bullying coordinator be listed on the home page of the  
24 school district's Internet website and that on the home  
25 page of each school's Internet website the name, school  
26 phone number, school address, and school e-mail address of

1 the school anti-bullying specialist and the district  
2 anti-bullying coordinator be listed. The information  
3 concerning the district anti-bullying coordinator and the  
4 school anti-bullying specialists shall also be maintained  
5 on the State Board of Education's Internet website.

6 (c) Information regarding the school district policy  
7 against harassment, intimidation, or bullying shall be  
8 incorporated into a school's employee training program and  
9 shall be provided to full-time and part-time staff, volunteers  
10 who have significant contact with students, and those persons  
11 contracted by the district to provide services to students.

12 (d) The policy adopted by each school district pursuant to  
13 this Section shall include provisions for appropriate  
14 responses to harassment, intimidation, or bullying, as defined  
15 in Section 22-80.15 of this Code, that occurs off school  
16 grounds, in cases in which a school employee is made aware of  
17 such actions. The responses to harassment, intimidation, or  
18 bullying that occurs off school grounds shall be consistent  
19 with the school board's code of student conduct and other  
20 provisions of the school board's policy on harassment,  
21 intimidation, or bullying.

22 (105 ILCS 5/22-80.25 new)

23 Sec. 22-80.25. Victim of or witness to act of harassment,  
24 intimidation, or bullying; reprisal, retaliation, and false  
25 accusation prohibited.

1       (a) A member of a school board, school employee, student,  
2 or school volunteer may not engage in reprisal, retaliation, or  
3 false accusation against a victim, witness, or one with  
4 reliable information about an act of harassment, intimidation,  
5 or bullying.

6       (b) A member of a school board, school employee, contracted  
7 service provider, student, or school volunteer who has  
8 witnessed or has reliable information that a student has been  
9 subject to harassment, intimidation, or bullying shall report  
10 the incident to the appropriate school official designated by  
11 the school district's policy under Section 22-80.20 of this  
12 Code or to any school administrator or safe schools resource  
13 officer, who shall immediately initiate the school district's  
14 procedures concerning school bullying.

15       (c) A member of a school board or a school employee who  
16 promptly reports an incident of harassment, intimidation, or  
17 bullying to the appropriate school official designated by the  
18 school district's policy under Section 22-80.20 of this Code or  
19 to any school administrator or safe schools resource officer  
20 and who makes this report in compliance with the procedures in  
21 the district's policy is immune from a cause of action for  
22 damages arising from any failure to remedy the reported  
23 incident.

24       (d) A school administrator who receives a report of  
25 harassment, intimidation, or bullying from a district employee  
26 and fails to initiate or conduct an investigation or who should

1 have known of an incident of harassment, intimidation, or  
2 bullying and fails to take sufficient action to minimize or  
3 eliminate the harassment, intimidation, or bullying may be  
4 subject to disciplinary action.

5 (105 ILCS 5/22-80.30 new)

6 Sec. 22-80.30. Establishment of bullying prevention  
7 programs.

8 (a) Schools and school districts shall annually establish,  
9 implement, document, and assess bullying prevention programs  
10 or approaches and other initiatives involving school staff,  
11 students, administrators, school volunteers, parents, law  
12 enforcement, and community members. The programs or approaches  
13 shall be designed to create school-wide conditions to prevent  
14 and address harassment, intimidation, and bullying.

15 A school district may implement bullying prevention  
16 programs and approaches that may be available at no cost from  
17 the State Board of Education or any other entity. A school  
18 district may, at its own discretion, implement bullying  
19 prevention programs and approaches that impose a cost on the  
20 district. A school district may apply to the State Board of  
21 Education for a grant to be used for programs, approaches, or  
22 personnel under this Section, to the extent funds are  
23 appropriated for these purposes or funds are made available  
24 through the Bullying Prevention Fund established pursuant to  
25 Section 22-80.50 of this Code. A school district may make an

1 application for a grant only after exploring bullying  
2 prevention programs and approaches that are available at no  
3 cost and making an affirmative demonstration of that  
4 exploration in its grant application.

5 (b) A school district shall:

6 (1) provide training on the school district's  
7 harassment, intimidation, or bullying policies to school  
8 employees and volunteers who have significant contact with  
9 students;

10 (2) ensure that the training includes instruction on  
11 preventing bullying on the basis of protected categories  
12 and other distinguishing characteristics that may incite  
13 incidents of discrimination, harassment, intimidation, or  
14 bullying; and

15 (3) develop a process for discussing the district's  
16 harassment, intimidation, or bullying policy with  
17 students.

18 A school district may satisfy the training required  
19 pursuant to this subsection (b) by utilizing training that may  
20 be provided at no cost by the State Board of Education or any  
21 other entity. A school district may, at its own discretion,  
22 implement a training program that imposes a cost on the  
23 district.

24 (105 ILCS 5/22-80.35 new)

25 Sec. 22-80.35. School anti-bullying specialists and

1 coordinators.

2 (a) The principal in each school in a school district shall  
3 appoint a school anti-bullying specialist. When a school  
4 guidance counselor, school psychologist, or another individual  
5 similarly trained is currently employed in the school, the  
6 principal shall appoint that individual to be the school  
7 anti-bullying specialist. If no individual meeting this  
8 criteria is currently employed in the school, the principal  
9 shall appoint a school anti-bullying specialist from currently  
10 employed school personnel. The school anti-bullying specialist  
11 shall:

12 (1) chair the school safety team as provided in Section  
13 22-80.40 of this Code;

14 (2) lead the investigation of incidents of harassment,  
15 intimidation, and bullying in the school; and

16 (3) act as the primary school official responsible for  
17 preventing, identifying, and addressing incidents of  
18 harassment, intimidation, and bullying in the school.

19 (b) The district superintendent shall appoint a district  
20 anti-bullying coordinator. The superintendent shall make every  
21 effort to appoint an employee of the school district to this  
22 position. The district anti-bullying coordinator shall:

23 (1) be responsible for coordinating and strengthening  
24 the school district's policies to prevent, identify, and  
25 address harassment, intimidation, and bullying of  
26 students;

1           (2) collaborate with school anti-bullying specialists  
2           in the district, the school board, and the superintendent  
3           of schools to prevent, identify, and respond to harassment,  
4           intimidation, and bullying of students in the district;

5           (3) provide data, in collaboration with the  
6           superintendent, to the State Board of Education regarding  
7           harassment, intimidation, and bullying of students; and

8           (4) execute such other duties related to school  
9           harassment, intimidation, and bullying as requested by the  
10          superintendent.

11          (c) The district anti-bullying coordinator shall meet at  
12          least twice a school year with the school anti-bullying  
13          specialists in the district to discuss and strengthen  
14          procedures and policies to prevent, identify, and address  
15          harassment, intimidation, and bullying in the district.

16          (d) The State Superintendent of Education, in consultation  
17          with recognized experts in school bullying from a cross section  
18          of academia, child advocacy organizations, nonprofit  
19          organizations, professional associations, and government  
20          agencies, shall establish inservice workshops and training  
21          programs to train selected public school employees to act as  
22          district anti-bullying coordinators and school anti-bullying  
23          specialists. The State Superintendent of Education shall seek  
24          to make the workshops and training programs available and  
25          administered online through the State Board of Education's  
26          Internet website or other existing online resources. The State

1 Superintendent of Education shall evaluate the effectiveness  
2 of the consulting group on an annual basis. The inservice  
3 training programs may utilize regional offices of education or  
4 such other institutions, agencies, or persons as the State  
5 Superintendent of Education deems appropriate. Each school  
6 board shall provide time for the inservice training during the  
7 usual school schedule in order to ensure that appropriate  
8 personnel are prepared to act in the district as district  
9 anti-bullying coordinators and school anti-bullying  
10 specialists.

11 Upon completion of the initial inservice training program,  
12 the State Superintendent of Education shall ensure that  
13 programs and workshops that reflect the most current  
14 information on harassment, intimidation, and bullying in  
15 schools are prepared and made available to district  
16 anti-bullying coordinators and school anti-bullying  
17 specialists at regular intervals.

18 (105 ILCS 5/22-80.40 new)

19 Sec. 22-80.40. School safety teams.

20 (a) A school district shall form a school safety team in  
21 each school in the district to develop, foster, and maintain a  
22 positive school climate by focusing on the on-going, systemic  
23 process and practices in the school and to address school  
24 climate issues such as harassment, intimidation, or bullying. A  
25 school safety team shall meet at least 2 times per school year.



1       (b) A school safety team shall consist of the principal or  
2 his or her designee, who, if possible, shall be a senior  
3 administrator in the school, and the following appointees of  
4 the principal:

5           (1) a teacher in the school;

6           (2) a school anti-bullying specialist;

7           (3) a parent of a student in the school; and

8           (4) other members to be determined by the principal.

9       The school anti-bullying specialist shall serve as the  
10 chairperson of the school safety team.

11       (c) The school safety team shall:

12           (1) receive any complaints of harassment,  
13 intimidation, or bullying of students that have been  
14 reported to the principal;

15           (2) receive copies of any report prepared after an  
16 investigation of an incident of harassment, intimidation,  
17 or bullying;

18           (3) identify and address patterns of harassment,  
19 intimidation, or bullying of students in the school;

20           (4) review and strengthen the school climate and the  
21 policies of the school in order to prevent and address  
22 harassment, intimidation, or bullying of students;

23           (5) educate the community, including students,  
24 teachers, administrative staff, and parents, to prevent  
25 and address harassment, intimidation, or bullying of  
26 students;

1           (6) participate in the training required pursuant to  
2           Section 22-80.35 of this Code and other training that the  
3           principal or the district anti-bullying coordinator may  
4           request;

5           (7) collaborate with the district anti-bullying  
6           coordinator in the collection of district-wide data and in  
7           the development of district policies to prevent and address  
8           harassment, intimidation, or bullying of students; and

9           (8) execute such other duties related to harassment,  
10          intimidation, and bullying as requested by the principal or  
11          district anti-bullying coordinator.

12          (d) The members of a school safety team shall be provided  
13          professional development opportunities that address effective  
14          practices of successful school climate programs or approaches.

15          (e) Notwithstanding any provision of this Section to the  
16          contrary, a parent who is a member of the school safety team  
17          shall not participate in the activities of the team set forth  
18          in subdivisions (1), (2), or (3) of subsection (c) of this  
19          Section or any other activities of the team that may compromise  
20          the confidentiality of a student.

21                   (105 ILCS 5/22-80.45 new)

22          Sec. 22-80.45. Harassment, intimidation, and bullying  
23          prevention; establishment of formal protocol for investigating  
24          a complaint.

25          (a) The State Superintendent of Education shall establish a

1 formal protocol pursuant to which the regional superintendent  
2 of schools shall investigate a complaint that documents an  
3 allegation of a violation of any of the provisions of Sections  
4 22-80.10 through 22-80.40 of this Code by a school district  
5 located within the educational service region if the complaint  
6 has not been adequately addressed on the local level. The  
7 regional superintendent of schools shall report his or her  
8 findings and, if appropriate, issue an order for the school  
9 district to develop and implement corrective actions that are  
10 specific to the facts of the case.

11 (b) The State Superintendent of Education shall ensure that  
12 the personnel of regional offices of education who are  
13 responsible for conducting the investigations receive training  
14 and technical support on the use of the complaint investigation  
15 protocol.

16 (105 ILCS 5/22-80.50 new)

17 Sec. 22-80.50. Bullying Prevention Fund. The Bullying  
18 Prevention Fund is created as a special fund in the State  
19 treasury. All money in the Fund shall be used, subject to  
20 appropriation, by the State Board of Education to offer grants  
21 to school districts to provide training on harassment,  
22 intimidation, and bullying prevention and on the effective  
23 creation of positive school climates and to help fund related  
24 personnel expenses. The Fund shall consist of (i) any moneys  
25 appropriated by this State for the purposes of the Fund, (ii)

1 any moneys donated for the purposes of the Fund, and (iii) all  
2 interest earnings received on moneys in the fund.

3 (105 ILCS 5/27-23.7)

4 Sec. 27-23.7. Bullying prevention.

5 (a) The General Assembly finds that a safe and civil school  
6 environment is necessary for students to learn and achieve and  
7 that bullying causes physical, psychological, and emotional  
8 harm to students and interferes with students' ability to learn  
9 and participate in school activities. The General Assembly  
10 further finds that bullying has been linked to other forms of  
11 antisocial behavior, such as vandalism, shoplifting, skipping  
12 and dropping out of school, fighting, using drugs and alcohol,  
13 sexual harassment, and sexual violence. Because of the negative  
14 outcomes associated with bullying in schools, the General  
15 Assembly finds that school districts and non-public,  
16 non-sectarian elementary and secondary schools should educate  
17 students, parents, and school district or non-public,  
18 non-sectarian elementary or secondary school personnel about  
19 what behaviors constitute prohibited bullying.

20 Bullying on the basis of actual or perceived race, color,  
21 religion, sex, national origin, ancestry, age, marital status,  
22 physical or mental disability, military status, sexual  
23 orientation, gender-related identity or expression,  
24 unfavorable discharge from military service, association with  
25 a person or group with one or more of the aforementioned actual

1 or perceived characteristics, or any other distinguishing  
2 characteristic is prohibited in all school districts and  
3 non-public, non-sectarian elementary and secondary schools. No  
4 student shall be subjected to bullying:

5 (1) during any school-sponsored education program or  
6 activity;

7 (2) while in school, on school property, on school  
8 buses or other school vehicles, at designated school bus  
9 stops waiting for the school bus, or at school-sponsored or  
10 school-sanctioned events or activities; or

11 (3) through the transmission of information from a  
12 school computer, a school computer network, or other  
13 similar electronic school equipment.

14 (b) In this Section:

15 "Bullying" means any severe or pervasive physical or verbal  
16 act or conduct, including communications made in writing or  
17 electronically, directed toward a student or students that has  
18 or can be reasonably predicted to have the effect of one or  
19 more of the following:

20 (1) placing the student or students in reasonable fear  
21 of harm to the student's or students' person or property;

22 (2) causing a substantially detrimental effect on the  
23 student's or students' physical or mental health;

24 (3) substantially interfering with the student's or  
25 students' academic performance; or

26 (4) substantially interfering with the student's or

1 students' ability to participate in or benefit from the  
2 services, activities, or privileges provided by a school.

3 Bullying, as defined in this subsection (b), may take  
4 various forms, including without limitation one or more of the  
5 following: harassment, threats, intimidation, stalking,  
6 physical violence, sexual harassment, sexual violence, theft,  
7 public humiliation, destruction of property, or retaliation  
8 for asserting or alleging an act of bullying. This list is  
9 meant to be illustrative and non-exhaustive.

10 "School personnel" means persons employed by, on contract  
11 with, or who volunteer in a school district or non-public,  
12 non-sectarian elementary or secondary school, including  
13 without limitation school and school district administrators,  
14 teachers, school guidance counselors, school social workers,  
15 school counselors, school psychologists, school nurses,  
16 cafeteria workers, custodians, bus drivers, school resource  
17 officers, and security guards.

18 (c) (Blank).

19 (d) Each school district and non-public, non-sectarian  
20 elementary or secondary school shall create and maintain a  
21 policy on bullying, which policy must be filed with the State  
22 Board of Education. A school district must comply with Section  
23 22-80.20 of this Code with respect to this policy on bullying.  
24 Each school district and non-public, non-sectarian elementary  
25 or secondary school must communicate its policy on bullying to  
26 its students and their parent or guardian on an annual basis.

1 The policy must be updated every 2 years and filed with the  
2 State Board of Education after being updated. The State Board  
3 of Education shall monitor the implementation of policies  
4 created under this subsection (d).

5 (e) This Section shall not be interpreted to prevent a  
6 victim from seeking redress under any other available civil or  
7 criminal law. Nothing in this Section is intended to infringe  
8 upon any right to exercise free expression or the free exercise  
9 of religion or religiously based views protected under the  
10 First Amendment to the United States Constitution or under  
11 Section 3 or 4 of Article 1 of the Illinois Constitution.

12 (Source: P.A. 95-198, eff. 1-1-08; 95-349, eff. 8-23-07;  
13 95-876, eff. 8-21-08; 96-952, eff. 6-28-10.)

14 (105 ILCS 5/34-3.2) (from Ch. 122, par. 34-3.2)

15 Sec. 34-3.2. Board training.

16 (a) After January 1, 1990 all board members shall  
17 participate in training provided by board employees or  
18 not-for-profit organizations, including without limitation the  
19 following:

- 20 1. budget and revenue review;
- 21 2. education theory and governance;
- 22 3. governmental relations;
- 23 4. school-based management; and
- 24 5. State and federal education law and regulations.

25 (b) Each member of the board shall receive training on

1 harassment, intimidation, and bullying in schools. The  
2 training on harassment, intimidation, and bullying in schools  
3 shall be provided by the Illinois Association of School Boards,  
4 in consultation with recognized experts in school bullying from  
5 a cross section of academia, child advocacy organizations,  
6 nonprofit organizations, professional associations, and  
7 government agencies.

8 (Source: P.A. 85-1418; 86-1477.)

9 (105 ILCS 5/34-18.7) (from Ch. 122, par. 34-18.7)

10 Sec. 34-18.7. Adolescent and teen mental illness and  
11 suicide detection and intervention. School guidance  
12 counselors, teachers, school social workers, and other school  
13 personnel who work with pupils in grades 7 through 12 shall be  
14 trained to identify the warning signs of mental illness and  
15 suicidal behavior in adolescents and teens and shall be taught  
16 various intervention techniques. Such training shall be  
17 provided within the framework of existing in-service training  
18 programs offered by the Board or as part of the professional  
19 development required under Section 2-3.160 of this Code or the  
20 professional development activities required under Section  
21 21B-45 ~~21-14~~ of this Code.

22 (Source: P.A. 98-471, eff. 1-1-14.)

23 (105 ILCS 5/34-19) (from Ch. 122, par. 34-19)

24 Sec. 34-19. By-laws, rules and regulations; business



1 transacted at regular meetings; voting; records. The board  
2 shall, subject to the limitations in this Article, establish  
3 by-laws, rules and regulations, which shall have the force of  
4 ordinances, for the proper maintenance of a uniform system of  
5 discipline for both employees and pupils, and for the entire  
6 management of the schools, and may fix the school age of  
7 pupils, the minimum of which in kindergartens shall not be  
8 under 4 years, except that, based upon an assessment of the  
9 child's readiness, children who have attended a non-public  
10 preschool and continued their education at that school through  
11 kindergarten, were taught in kindergarten by an appropriately  
12 certified teacher, and will attain the age of 6 years on or  
13 before December 31 of the year of the 2009-2010 school term and  
14 each school term thereafter may attend first grade upon  
15 commencement of such term, and in grade schools shall not be  
16 under 6 years. It may expel, suspend or, subject to the  
17 limitations of all policies established or adopted under  
18 Section 14-8.05, otherwise discipline any pupil found guilty of  
19 gross disobedience, misconduct or other violation of the  
20 by-laws, rules and regulations, including gross disobedience  
21 or misconduct perpetuated by electronic means or for those  
22 reasons specified under Section 22-80.15 of this Code. An  
23 expelled pupil may be immediately transferred to an alternative  
24 program in the manner provided in Article 13A or 13B of this  
25 Code. A pupil must not be denied transfer because of the  
26 expulsion, except in cases in which such transfer is deemed to

1 cause a threat to the safety of students or staff in the  
2 alternative program. A pupil who is suspended in excess of 20  
3 school days may be immediately transferred to an alternative  
4 program in the manner provided in Article 13A or 13B of this  
5 Code. A pupil must not be denied transfer because of the  
6 suspension, except in cases in which such transfer is deemed to  
7 cause a threat to the safety of students or staff in the  
8 alternative program. The bylaws, rules and regulations of the  
9 board shall be enacted, money shall be appropriated or  
10 expended, salaries shall be fixed or changed, and textbooks,  
11 electronic textbooks, and courses of instruction shall be  
12 adopted or changed only at the regular meetings of the board  
13 and by a vote of a majority of the full membership of the  
14 board; provided that notwithstanding any other provision of  
15 this Article or the School Code, neither the board or any local  
16 school council may purchase any textbook for use in any public  
17 school of the district from any textbook publisher that fails  
18 to furnish any computer diskettes as required under Section  
19 28-21. Funds appropriated for textbook purchases must be  
20 available for electronic textbook purchases and the  
21 technological equipment necessary to gain access to and use  
22 electronic textbooks at the local school council's discretion.  
23 The board shall be further encouraged to provide opportunities  
24 for public hearing and testimony before the adoption of bylaws,  
25 rules and regulations. Upon all propositions requiring for  
26 their adoption at least a majority of all the members of the

1 board the yeas and nays shall be taken and reported. The  
2 by-laws, rules and regulations of the board shall not be  
3 repealed, amended or added to, except by a vote of 2/3 of the  
4 full membership of the board. The board shall keep a record of  
5 all its proceedings. Such records and all by-laws, rules and  
6 regulations, or parts thereof, may be proved by a copy thereof  
7 certified to be such by the secretary of the board, but if they  
8 are printed in book or pamphlet form which are purported to be  
9 published by authority of the board they need not be otherwise  
10 published and the book or pamphlet shall be received as  
11 evidence, without further proof, of the records, by-laws, rules  
12 and regulations, or any part thereof, as of the dates thereof  
13 as shown in such book or pamphlet, in all courts and places  
14 where judicial proceedings are had.

15 Notwithstanding any other provision in this Article or in  
16 the School Code, the board may delegate to the general  
17 superintendent or to the attorney the authorities granted to  
18 the board in the School Code, provided such delegation and  
19 appropriate oversight procedures are made pursuant to board  
20 by-laws, rules and regulations, adopted as herein provided,  
21 except that the board may not delegate its authorities and  
22 responsibilities regarding (1) budget approval obligations;  
23 (2) rule-making functions; (3) desegregation obligations; (4)  
24 real estate acquisition, sale or lease in excess of 10 years as  
25 provided in Section 34-21; (5) the levy of taxes; or (6) any  
26 mandates imposed upon the board by "An Act in relation to

1 school reform in cities over 500,000, amending Acts herein  
2 named", approved December 12, 1988 (P.A. 85-1418).

3 (Source: P.A. 96-864, eff. 1-21-10; 96-1403, eff. 7-29-10;  
4 97-340, eff. 1-1-12; 97-495, eff. 1-1-12; 97-813, eff.  
5 7-13-12.)

6 Section 15. The Board of Higher Education Act is amended by  
7 adding Section 9.34 as follows:

8 (110 ILCS 205/9.34 new)

9 Sec. 9.34. Require adoption of policy prohibiting  
10 harassment, intimidation, or bullying.

11 (a) The Board shall require all public institutions of  
12 higher education to adopt a policy, to be included in their  
13 student code of conduct, prohibiting harassment, intimidation,  
14 or bullying. The policy shall contain, at a minimum, all of the  
15 following:

16 (1) A statement prohibiting harassment, intimidation,  
17 or bullying.

18 (2) Disciplinary actions that may result if a student  
19 commits an act of harassment, intimidation, or bullying.

20 (3) A definition of harassment, intimidation, or  
21 bullying that, at a minimum, includes any gesture, any  
22 written, verbal, or physical act, or any electronic  
23 communication, whether it be a single incident or a series  
24 of incidents, that is reasonably perceived as being

1 motivated either by any actual or perceived  
2 characteristic, such as race, color, religion, ancestry,  
3 national origin, gender, sexual orientation, gender  
4 identity and expression, or a mental, physical or sensory  
5 disability, or by any other distinguishing characteristic,  
6 that takes place on the property of the institution of  
7 higher education or at any function sponsored by the  
8 institution of higher education, that substantially  
9 disrupts or interferes with the orderly operation of the  
10 institution or the rights of other students, and that:

11 (A) a reasonable person should know, under the  
12 circumstances, will have the effect of physically or  
13 emotionally harming a student or damaging the  
14 student's property or placing a student in reasonable  
15 fear of physical or emotional harm to his or her person  
16 or damage to his or her property;

17 (B) has the effect of insulting or demeaning any  
18 student or group of students; or

19 (C) creates a hostile educational environment for  
20 the student by interfering with a student's education  
21 or by severely or pervasively causing physical or  
22 emotional harm to the student.

23 (b) Each public institution of higher education shall  
24 distribute the policy required under this Section by e-mail to  
25 each student within 7 days after the start of each semester and  
26 shall post the policy on its Internet website.

1           Section 99. Effective date. This Act takes effect June 1,  
2    2015.

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2	Statutes amended in order of appearance	
3	30 ILCS 105/5.855 new	
4	105 ILCS 5/2-3.160 new	
5	105 ILCS 5/2-3.165 new	
6	105 ILCS 5/2-3.170 new	
7	105 ILCS 5/2-3.175 new	
8	105 ILCS 5/10-16a	
9	105 ILCS 5/10-22.6	from Ch. 122, par. 10-22.6
10	105 ILCS 5/21B-28 new	
11	105 ILCS 5/22-80.5 new	
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21	105 ILCS 5/27-23.7	
22	105 ILCS 5/34-3.2	from Ch. 122, par. 34-3.2
23	105 ILCS 5/34-18.7	from Ch. 122, par. 34-18.7
24	105 ILCS 5/34-19	from Ch. 122, par. 34-19
25	110 ILCS 205/9.34 new	