

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 2-3.162 and by adding Section 2-3.173 as follows:

6 (105 ILCS 5/2-3.162)

7 Sec. 2-3.162. Student discipline report; school discipline
8 improvement plan.

9 (a) On or before October 31, 2015 and on or before October
10 31 of each subsequent year, the State Board of Education,
11 through the State Superintendent of Education, shall prepare a
12 report on student discipline in all school districts in this
13 State, including State-authorized charter schools. This report
14 shall include data from all public schools within school
15 districts, including district-authorized charter schools. This
16 report must be posted on the Internet website of the State
17 Board of Education. The report shall include data on the
18 issuance of out-of-school suspensions, expulsions, and
19 removals to alternative settings in lieu of another
20 disciplinary action, disaggregated by race and ethnicity,
21 gender, age, grade level, whether a student is an English
22 learner, incident type, and discipline duration.

23 (b) The State Board of Education shall analyze the data

1 under subsection (a) of this Section on an annual basis and
2 determine the top 20% of school districts qualifying under any
3 of ~~for~~ the following metrics:

4 (1) Total number of out-of-school suspensions divided
5 by the total district enrollment by the last school day in
6 September for the year in which the data was collected,
7 multiplied by 100.

8 (2) Total number of out-of-school expulsions divided
9 by the total district enrollment by the last school day in
10 September for the year in which the data was collected,
11 multiplied by 100.

12 (3) Racial disproportionality, defined as the
13 overrepresentation of students of color or white students
14 in comparison to the total number of students of color or
15 white students on October 1st of the school year in which
16 data are collected, with respect to the use of
17 out-of-school suspensions and expulsions, which must be
18 calculated using the same method as the U.S. Department of
19 Education's Office for Civil Rights uses.

20 ~~The analysis must be based on data collected over 3~~
21 ~~consecutive school years, beginning with the 2014-2015 school~~
22 ~~year.~~

23 (c) On or before October 31, 2018 and on or before October
24 31 of each subsequent year, the State Board of Education shall
25 notify each school district ~~Beginning with the 2017-2018 school~~
26 ~~year, the State Board of Education shall require each of the~~

1 ~~school districts that are~~ identified in the top 20% of any of
2 the metrics described in ~~this~~ subsection (b) of this Section
3 for 3 consecutive school years that the school district must
4 submit a plan in conformance with subsection (d) of this
5 Section.

6 (d) School districts identified in the top 20% of any of
7 the metrics described in subsection (b) of this Section for 3
8 consecutive school years must, in a manner prescribed by the
9 State Board of Education, submit a plan to the State Board of
10 Education that identifies ~~to submit a plan identifying~~ the
11 strategies the school district will implement to reduce the use
12 of exclusionary disciplinary practices or racial
13 disproportionality or both, if applicable. ~~School districts~~
14 ~~that no longer meet the criteria described in any of the~~
15 ~~metrics described in this subsection (b) for 3 consecutive~~
16 ~~years shall no longer be required to submit a plan.~~

17 This plan may be combined with any other improvement plans
18 required under federal or State law.

19 The plan must be approved at a public school board meeting
20 no later than 90 days after notification from the State Board
21 of Education pursuant to subsection (c) of this Section and
22 must be posted on the school district's Internet website.
23 Within one calendar year after the school board's approval of
24 the plan, the school district shall submit to the State Board
25 of Education, in a manner prescribed by the State Board of
26 Education, and post on the district's Internet website a

1 progress report describing the implementation of the plan and
2 the results achieved. Additional annual progress reports shall
3 be required until a school district no longer meets the
4 criteria in any of the metrics described in subsection (b) of
5 this Section for 3 consecutive school years.

6 (e) The calculation of the top 20% of any of the metrics
7 described in ~~this~~ subsection (b) of this Section shall exclude
8 all school districts, State-authorized charter schools, and
9 special charter districts that issued fewer than a total of 10
10 out-of-school suspensions or expulsions, whichever is
11 applicable, during the school year. The calculation of the top
12 20% of the metric described in subdivision (3) of ~~this~~
13 subsection (b) of this Section shall exclude all school
14 districts with an enrollment of fewer than 50 white students or
15 fewer than 50 students of color.

16 ~~The plan must be approved at a public school board meeting~~
17 ~~and posted on the school district's Internet website. Within~~
18 ~~one year after being identified, the school district shall~~
19 ~~submit to the State Board of Education and post on the~~
20 ~~district's Internet website a progress report describing the~~
21 ~~implementation of the plan and the results achieved.~~

22 (Source: P.A. 98-1102, eff. 8-26-14; 99-30, eff. 7-10-15;
23 99-78, eff. 7-20-15; revised 9-25-17.)

24 (105 ILCS 5/2-3.173 new)

25 Sec. 2-3.173. Safe Schools and Healthy Learning

1 Environments Program.

2 (a) The General Assembly recognizes that (i) many K-12
3 students around the State are arrested in school and sent into
4 the justice system, often for minor offenses that do not pose a
5 serious threat to school safety; (ii) some schools across the
6 State have become overly reliant on law enforcement personnel
7 to handle routine school disciplinary matters; (iii) many
8 student behaviors that result in arrest in some schools are
9 addressed without involving the justice system in others; (iv)
10 the overcriminalization of K-12 students has had significant
11 negative consequences for students, families, and entire
12 communities; (v) these dynamics, known as the
13 "school-to-prison pipeline", have disproportionately affected
14 students of color; (vi) these practices impose substantial
15 economic costs on both localities and the State overall; and
16 (vii) eliminating unnecessary school-based arrests and law
17 enforcement presence in school while promoting the use of
18 developmentally appropriate alternatives will protect school
19 safety, improve school climate, raise academic achievement,
20 and save taxpayer dollars.

21 (b) The State Board of Education, subject to appropriation,
22 is authorized to award competitive grants on an annual basis
23 under a Safe Schools and Healthy Learning Environments Program.
24 The goal of this grant program is to promote school safety and
25 healthy learning environments by reducing the reliance on law
26 enforcement to address school disciplinary matters and

1 implement alternative strategies that will better address the
2 full range of students' intellectual, social, emotional,
3 physical, psychological, and moral developmental needs. To
4 receive a grant under this program, school districts must
5 develop plans for implementing evidence-based and promising
6 practices that are aligned with this goal, including, but not
7 limited to, hiring restorative justice practitioners, school
8 psychologists, social workers, and other mental and behavioral
9 health specialists, providing drug and alcohol treatment
10 services and wraparound services for youth, training for school
11 staff on alternatives to law enforcement involvement for
12 school-based offenses that include restorative justice
13 approaches, conflict resolution techniques, and expanded use
14 of school support personnel and community-based services,
15 trauma-informed approaches to meeting students' developmental
16 needs, and addressing the effects of toxic stress. For purposes
17 of this subsection (b), "promising practices" means practices
18 that present, based on preliminary information, potential for
19 becoming evidence-based practices.

20 Grant funds shall not be used to increase the use of
21 school-based law enforcement or security personnel. Nothing in
22 this Section shall prohibit school districts from involving law
23 enforcement personnel when necessary and allowed by law.

24 (c) The State Board of Education, subject to appropriation
25 of the grant program, shall annually disseminate a request for
26 applications to this program and funds shall be distributed

1 annually. The criteria to be considered by the State Board of
2 Education in awarding the funds shall be (i) the arrest rates
3 in the target schools over the preceding 3 years, which shall
4 be calculated as the number of arrests divided by the number of
5 students; (ii) the ratio of school-based law enforcement
6 personnel to students in the target schools over the preceding
7 3 years; and (iii) the degree to which the proposal articulates
8 a strong, comprehensive approach for eliminating unnecessary
9 school-based arrests and the over-reliance on law enforcement
10 to address school disciplinary matters while building safer and
11 healthier learning environments.

12 For criterion (i), applicant school districts shall be
13 ranked from highest arrest rates to lowest, with higher arrest
14 rates receiving priority. For criterion (ii), applicant school
15 districts shall be ranked from the highest ratio of
16 school-based law enforcement to students to the lowest ratio,
17 with the higher ratios receiving priority. For criterion (iii),
18 applicant school districts shall be ranked on the basis of the
19 strength of their overall strategy, with all school districts
20 that fail to articulate a sound approach being excluded from
21 consideration. The State Board of Education shall determine a
22 scoring system for each criterion based on the relative ranking
23 of the applicant school districts. Applicant school districts'
24 overall cumulative scores shall be based on the following
25 weights: criterion (i): 40%; criterion (ii): 20%; and criterion
26 (iii): 40%. If the appropriated funds are insufficient to

1 provide funds to all selected grantees, the State Board of
2 Education shall have discretion to choose the number of school
3 districts that will receive funds as well as the amount of
4 their grant awards, with the highest-scoring school districts
5 receiving priority. If the appropriated funds exceed what is
6 required to provide funding to all qualified applicants, the
7 surplus shall be rolled over to be used for grants the
8 following year.

9 (d) The State Board of Education, subject to appropriation
10 to the grant program, shall produce an annual report on the
11 results of the Safe Schools and Healthy Learning Environments
12 Program in cooperation with the school districts participating
13 in the program. The report shall include both quantitative and
14 qualitative information on the progress being made in reducing
15 unnecessary school-based arrests and the over-reliance on law
16 enforcement to address school disciplinary matters, and the
17 effects of the program on school safety and school climate. The
18 report shall include the number of school-based arrests made
19 within participating schools during the 3 school years prior to
20 the grant compared to the number of school-based arrests made
21 during the school year the grant was awarded. This report shall
22 be posted on the State Board of Education's website by October
23 31 of each year, beginning in 2019.

24 (e) The State Board of Education may adopt rules necessary
25 for the implementation of this program.

26 Section 99. Effective date. This Act takes effect July 1,

1 2018.