



Rep. Emanuel Chris Welch

**Filed: 4/23/2018**

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LRB100 16263 AXK 39211 a

1 AMENDMENT TO HOUSE BILL 4208

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4208 by replacing  
3 everything after the enacting clause with the following:

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

1 Board of Education. The report shall include data on the  
2 issuance of out-of-school suspensions, expulsions, and  
3 removals to alternative settings in lieu of another  
4 disciplinary action, disaggregated by race and ethnicity,  
5 gender, age, grade level, whether a student is an English  
6 learner, incident type, and discipline duration.

7 (b) The State Board of Education shall analyze the data  
8 under subsection (a) of this Section on an annual basis and  
9 determine the top 20% of school districts qualifying under any  
10 of ~~for~~ the following metrics:

11 (1) Total number of out-of-school suspensions divided  
12 by the total district enrollment by the last school day in  
13 September for the year in which the data was collected,  
14 multiplied by 100.

15 (2) Total number of out-of-school expulsions divided  
16 by the total district enrollment by the last school day in  
17 September for the year in which the data was collected,  
18 multiplied by 100.

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

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

4       (c) On or before October 31, 2018 and on or before October  
5 31 of each subsequent year, the State Board of Education shall  
6 notify each school district ~~Beginning with the 2017-2018 school~~  
7 ~~year, the State Board of Education shall require each of the~~  
8 ~~school districts that are~~ identified in the top 20% of any of  
9 the metrics described in ~~this~~ subsection (b) of this Section  
10 for 3 consecutive school years that the school district must  
11 submit a plan in conformance with subsection (d) of this  
12 Section.

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

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

26       The plan must be approved at a public school board meeting

1 no later than 90 days after notification from the State Board  
2 of Education pursuant to subsection (c) of this Section and  
3 must be posted on the school district's Internet website.  
4 Within one calendar year after the school board's approval of  
5 the plan, the school district shall submit to the State Board  
6 of Education, in a manner prescribed by the State Board of  
7 Education, and post on the district's Internet website a  
8 progress report describing the implementation of the plan and  
9 the results achieved. Additional annual progress reports shall  
10 be required until a school district no longer meets the  
11 criteria in any of the metrics described in subsection (b) of  
12 this Section for 3 consecutive school years.

13 (e) The calculation of the top 20% of any of the metrics  
14 described in ~~this~~ subsection (b) of this Section shall exclude  
15 all school districts, State-authorized charter schools, and  
16 special charter districts that issued fewer than a total of 10  
17 out-of-school suspensions or expulsions, whichever is  
18 applicable, during the school year. The calculation of the top  
19 20% of the metric described in subdivision (3) of ~~this~~  
20 subsection (b) of this Section shall exclude all school  
21 districts with an enrollment of fewer than 50 white students or  
22 fewer than 50 students of color.

23 ~~The plan must be approved at a public school board meeting~~  
24 ~~and posted on the school district's Internet website. Within~~  
25 ~~one year after being identified, the school district shall~~  
26 ~~submit to the State Board of Education and post on the~~

1 ~~district's Internet website a progress report describing the~~  
2 ~~implementation of the plan and the results achieved.~~

3 (Source: P.A. 98-1102, eff. 8-26-14; 99-30, eff. 7-10-15;  
4 99-78, eff. 7-20-15; revised 9-25-17.)

5 (105 ILCS 5/2-3.173 new)

6 Sec. 2-3.173. Safe Schools and Healthy Learning  
7 Environments Program.

8 (a) The General Assembly recognizes that (i) many K-12  
9 students around the State are arrested in school and sent into  
10 the justice system, often for minor offenses that do not pose a  
11 serious threat to school safety; (ii) many schools across the  
12 State have become overly reliant on law enforcement personnel  
13 to handle routine school disciplinary matters; (iii) many  
14 student behaviors that result in arrest in some schools are  
15 addressed without involving the justice system in others; (iv)  
16 the overcriminalization of K-12 students has had significant  
17 negative consequences for students, families, and entire  
18 communities; (v) these dynamics, known as the  
19 "school-to-prison pipeline", have disproportionately affected  
20 students of color; (vi) these practices impose substantial  
21 economic costs on both localities and the State overall; (vii)  
22 the use of school-based law enforcement has not been proven  
23 effective as a strategy to promote safe and productive schools;  
24 and (viii) eliminating unnecessary school-based arrests and  
25 law enforcement presence in school while promoting the use of

1 developmentally appropriate alternatives will protect school  
2 safety, improve school climate, raise academic achievement,  
3 and save taxpayer dollars.

4 (b) The State Board of Education, subject to appropriation,  
5 is authorized to award competitive grants on an annual basis  
6 under a Safe Schools and Healthy Learning Environments Program.  
7 The goal of this grant program is to promote school safety and  
8 healthy learning environments by reducing the reliance on law  
9 enforcement to address school disciplinary matters and  
10 implement alternative strategies that will better address the  
11 full range of students' intellectual, social, emotional,  
12 physical, psychological, and moral developmental needs. To  
13 receive a grant under this program, school districts must  
14 develop plans for implementing evidence-based and promising  
15 practices that are aligned with this goal, including, but not  
16 limited to, hiring restorative justice practitioners, school  
17 psychologists, social workers, and other mental and behavioral  
18 health specialists, providing drug and alcohol treatment  
19 services and wraparound services for youth, training for school  
20 staff on alternatives to law enforcement involvement for  
21 school-based offenses that include restorative justice  
22 approaches, conflict resolution techniques, and expanded use  
23 of school support personnel and community-based services,  
24 trauma-informed approaches to meeting students' developmental  
25 needs, and addressing the effects of toxic stress. For purposes  
26 of this subsection (b), "promising practices" means practices

1 that present, based on preliminary information, potential for  
2 becoming evidence-based practices.

3 Grant funds shall not be used to increase the use of  
4 school-based law enforcement or security personnel. Grant  
5 funds may be used to transition from school-based law  
6 enforcement personnel to alternative patrol structures.  
7 Nothing in this Section shall prohibit school districts from  
8 involving law enforcement personnel when necessary and allowed  
9 by law.

10 (c) The State Board of Education, subject to appropriation  
11 of the grant program, shall annually disseminate a request for  
12 applications to this program and funds shall be distributed  
13 annually. The criteria to be considered by the State Board of  
14 Education in awarding the funds shall be (i) the arrest rates  
15 in the target schools over the preceding 3 years, which shall  
16 be calculated as the number of arrests divided by the number of  
17 students; (ii) the ratio of school-based law enforcement  
18 personnel to students in the target schools over the preceding  
19 3 years; and (iii) the degree to which the proposal articulates  
20 a strong, comprehensive approach for eliminating unnecessary  
21 school-based arrests and the over-reliance on law enforcement  
22 to address school disciplinary matters while building safer and  
23 healthier learning environments.

24 For criterion (i), applicant school districts shall be  
25 ranked from highest arrest rates to lowest, with higher arrest  
26 rates receiving priority. For criterion (ii), applicant school

1 districts shall be ranked from the highest ratio of  
2 school-based law enforcement to students to the lowest ratio,  
3 with the higher ratios receiving priority. For criterion (iii),  
4 applicant school districts shall be ranked on the basis of the  
5 strength of their overall strategy, with all school districts  
6 that fail to articulate a sound approach being excluded from  
7 consideration. The State Board of Education shall determine a  
8 scoring system for each criterion based on the relative ranking  
9 of the applicant school districts. Applicant school districts'  
10 overall cumulative scores shall be based on the following  
11 weights: criterion (i): 40%; criterion (ii): 20%; and criterion  
12 (iii): 40%. If the appropriated funds are insufficient to  
13 provide funds to all selected grantees, the State Board of  
14 Education shall have discretion to choose the number of school  
15 districts that will receive funds as well as the amount of  
16 their grant awards, with the highest-scoring school districts  
17 receiving priority. If the appropriated funds exceed what is  
18 required to provide funding to all qualified applicants, the  
19 surplus shall be rolled over to be used for grants the  
20 following year.

21 (d) The State Board of Education, subject to appropriation  
22 to the grant program, shall produce an annual report on the  
23 results of the Safe Schools and Healthy Learning Environments  
24 Program in cooperation with the school districts participating  
25 in the program. The report shall include both quantitative and  
26 qualitative information on the progress being made in reducing



1 unnecessary school-based arrests and the over-reliance on law  
2 enforcement to address school disciplinary matters, and the  
3 effects of the program on school safety and school climate. The  
4 report shall include the number of school-based arrests made  
5 within participating schools during the 3 school years prior to  
6 the grant compared to the number of school-based arrests made  
7 during the school year the grant was awarded. This report shall  
8 be posted on the State Board of Education's website by October  
9 31 of each year, beginning in 2019.

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

12 Section 99. Effective date. This Act takes effect July 1,  
13 2018.".