



Sen. Kimberly A. Lightford

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1 AMENDMENT TO SENATE BILL 453

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 453 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 2-3.170 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, 2017 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.)

5 (105 ILCS 5/2-3.170 new)

6 Sec. 2-3.170. 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 over-criminalization 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 Under this program, selected school districts must reallocate  
8 funding for school-based law enforcement personnel in some or  
9 all of their schools to other evidence-based and promising  
10 practices designed to promote school safety and healthy  
11 learning environments, including, but not limited to,  
12 restorative justice programs; increased use of school  
13 psychologists, social workers, and other mental and behavioral  
14 health specialists; drug and alcohol treatment services;  
15 wraparound services for youth; and training for school staff on  
16 conflict resolution techniques and other disciplinary  
17 alternatives. For purposes of this subsection (b), "promising  
18 practices" means practices that present, based on preliminary  
19 information, potential for becoming evidence-based practices.

20 To apply for a grant under the program, school districts  
21 shall submit applications that outline their plans for  
22 reallocating their funds, including the total amount of funds  
23 to be reallocated. Subject to the availability of funds, for  
24 grant recipients, the Safe Schools and Healthy Learning  
25 Environments Program shall match the amount that is reallocated  
26 from school-based law enforcement personnel to alternative

1 methods of addressing student behavior on a dollar-for-dollar  
2 basis.

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

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

25 For factor (i), applicant school districts shall be ranked  
26 from highest arrest rates to lowest, with higher arrest rates

1 receiving priority. For factor (ii), applicant school  
2 districts shall be ranked from the highest ratio of  
3 school-based law enforcement to students to the lowest ratio,  
4 with the higher ratios receiving priority. For factor (iii),  
5 applicant school districts shall be ranked on the basis of the  
6 strength of their overall strategy, with all school districts  
7 that fail to articulate a sound approach being excluded from  
8 consideration. The State Board of Education shall determine a  
9 scoring system for each factor based on the relative ranking of  
10 the applicant school districts. Applicant school districts'  
11 overall cumulative scores shall be based on the following  
12 weights: factor (i): 40%; factor (ii): 20%; and factor (iii):  
13 40%. If the appropriated funds are insufficient to provide  
14 matching funds to all selected grantees, the funds shall be  
15 awarded to the qualified applicant school districts on a  
16 proportionate basis, based on the number of students within the  
17 school districts to be affected by the grants, unless the  
18 resulting allocation to qualified applicants would be less than  
19 25% of some or all school districts' proposed reallocation  
20 amounts. In that event, funds shall be awarded on a  
21 proportionate basis to school districts in the order of their  
22 respective scores, with the highest-scoring school district  
23 receiving top priority, up until the point at which the  
24 resulting allocations would be less than 25% of some or all  
25 selected school districts' proposed reallocation amounts. If  
26 the appropriated funds exceed what is required to provide



1 dollar-for-dollar matching funds to all qualified applicants,  
2 the surplus shall be rolled over to be used for grants the  
3 following year.

4 (d) The State Board of Education, subject to appropriation  
5 to the grant program, in cooperation with the school districts  
6 participating in the program, shall produce an annual report on  
7 the results of the program, including both quantitative and  
8 qualitative information on the progress being made in reducing  
9 both unnecessary school-based arrests and the over-reliance on  
10 school-based law enforcement to address school disciplinary  
11 matters, and the effects of the program on school safety and  
12 school climate. The report shall include the number of  
13 school-based arrests made within each participating school  
14 district during the school year prior to the grant compared to  
15 the number of school-based arrests made during the school year  
16 the grant was awarded. This report shall be posted on the State  
17 Board of Education's website by October 31st of each year,  
18 beginning in 2018.

19 (e) The State Board of Education may adopt rules necessary  
20 for the implementation of this program."

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law."