



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, shall produce an annual report on the
6 results of the Safe Schools and Healthy Learning Environments
7 Program in cooperation with the school districts participating
8 in the program. The report shall include both quantitative and
9 qualitative information on the progress being made in reducing
10 unnecessary school-based arrests and the over-reliance on
11 school-based law enforcement to address school disciplinary
12 matters, and the effects of the program on school safety and
13 school climate. The report shall include the number of
14 school-based arrests made within participating schools during
15 the 3 school years prior to the grant compared to the number of
16 school-based arrests made during the school year the grant was
17 awarded. This report shall be posted on the State Board of
18 Education's website by October 31 of each year, beginning in
19 2018.

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

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