



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3643

by Rep. Grant Wehrli

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.69 new
105 ILCS 5/34-18.61 new

Amends the School Code. Provides for legislative findings. Provides that if a school district employee or volunteer, student, or student's parent or guardian reports a threat made by a student, the principal of that student's school must immediately investigate the threat using specified criteria to determine its credibility; defines "threat". Provides that if the principal determines the threat is credible, he or she shall immediately report the threat to a local law enforcement agency for investigation. Provides that after the principal notifies the local law enforcement agency, the school district must take disciplinary action against the student. Provides that following each reported threat, regardless of whether it was deemed credible, the principal must submit a report to the school board to be reviewed at its next regularly scheduled board meeting or special meeting; specifies the report's requirements. Provides that after the school board reviews the report, the principal must submit the report to the State Board of Education and the State Board must submit an annual report to the General Assembly compiling all of the reports it received in the prior school year. Effective immediately.

LRB101 07139 AXK 52177 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 1. This Act may be referred to as the School Threat
5 Prevention and Protection Act.

6 Section 5. The School Code is amended by adding Sections
7 10-20.69 and 34-18.61 as follows:

8 (105 ILCS 5/10-20.69 new)

9 Sec. 10-20.69. School threat prevention.

10 (a) The General Assembly finds that the number of school
11 shootings has increased at an alarming rate, causing
12 policymakers to introduce a number of school safety
13 initiatives. The General Assembly also finds that the number of
14 threats made by students against school employees and other
15 students is ever-increasing, and, in an effort to better
16 protect students and school employees, it is no longer feasible
17 to dismiss threats made by a student, regardless of the
18 student's background or educational attainment or the details
19 of the threat.

20 (b) In this Section, "threat" means, but is not limited to,
21 a student's statement of possible destruction of a school
22 building or school property or statement of possible violence,

1 death, or bodily harm directed against a person at a school,
2 school function, or school event, regardless of whether school
3 is in session. A threat may be oral, written, or electronically
4 transmitted.

5 (c) If a school district employee or volunteer, student, or
6 student's parent or guardian reports a threat made by a
7 student, including by a student in a special education program
8 under Article 14, the principal of that student's school must
9 immediately investigate the threat using all of the following
10 criteria to determine its credibility:

11 (1) Whether the threat is immediate or remote.

12 (2) Whether the threat constitutes a prediction or
13 promise of harm to a person or school property.

14 (3) The plausibility of the threat.

15 (4) If applicable, how the person who is the object of
16 the threat reacted.

17 (5) The factors in the student's personal profile that
18 would make the threat more or less credible.

19 (d) If the principal determines the threat is credible, he
20 or she shall immediately report the threat to a local law
21 enforcement agency for investigation. After the principal
22 notifies the local law enforcement agency, the school district
23 must take disciplinary action against the student under Section
24 10-22.6.

25 (e) If the principal determines that the threat is not
26 credible and does not report it to a local law enforcement

1 agency and an additional threat is made by that same student,
2 the principal must notify a local law enforcement agency of the
3 threat. After the principal notifies the local law enforcement
4 agency, the school district must take disciplinary action
5 against the student under Section 10-22.6.

6 (f) Following each reported threat, regardless of whether
7 it was deemed credible, the principal must submit a report to
8 the school board to be reviewed at its next regularly scheduled
9 board meeting or special meeting. The report shall include
10 information on the threat, including who made the threat and
11 the threat's details. This report must be maintained in the
12 student's school student record. After the school board reviews
13 the report, the principal must submit the report to the State
14 Board Education. The State Board must submit an annual report
15 to the General Assembly compiling all of the reports received
16 under this subsection in the prior school year.

17 (105 ILCS 5/34-18.61 new)

18 Sec. 34-18.61. School threat prevention.

19 (a) The General Assembly finds that the number of school
20 shootings has increased at an alarming rate, causing
21 policymakers to introduce a number of school safety
22 initiatives. The General Assembly also finds that the number of
23 threats made by students against school employees and other
24 students is ever-increasing, and, in an effort to better
25 protect students and school employees, it is no longer feasible

1 to dismiss threats made by a student, regardless of the
2 student's background or educational attainment or the details
3 of the threat.

4 (b) In this Section, "threat" means, but is not limited to,
5 a student's statement of possible destruction of a school
6 building or school property or statement of possible violence,
7 death, or bodily harm directed against a person at a school,
8 school function, or school event, regardless of whether school
9 is in session. A threat may be oral, written, or electronically
10 transmitted.

11 (c) If a school district employee or volunteer, student, or
12 student's parent or guardian reports a threat made by a
13 student, including by a student in a special education program
14 under Article 14, the principal of that student's school must
15 immediately investigate the threat using all of the following
16 criteria to determine its credibility:

17 (1) Whether the threat is immediate or remote.

18 (2) Whether the threat constitutes a prediction or
19 promise of harm to a person or school property.

20 (3) The plausibility of the threat.

21 (4) If applicable, how the person who is the object of
22 the threat reacted.

23 (5) The factors in the student's personal profile that
24 would make the threat more or less credible.

25 (d) If the principal determines the threat is credible, he
26 or she shall immediately report the threat to a local law

1 enforcement agency for investigation. After the principal
2 notifies the local law enforcement agency, the school district
3 must take disciplinary action against the student under Section
4 10-22.6.

5 (e) If the principal determines that the threat is not
6 credible and does not report it to a local law enforcement
7 agency and an additional threat is made by that same student,
8 the principal must notify a local law enforcement agency of the
9 threat. After the principal notifies the local law enforcement
10 agency, the school district must take disciplinary action
11 against the student under Section 10-22.6.

12 (f) Following each reported threat, regardless of whether
13 it was deemed credible, the principal must submit a report to
14 the board to be reviewed at its next regularly scheduled board
15 meeting or special meeting. The report shall include
16 information on the threat, including who made the threat and
17 the threat's details. This report must be maintained in the
18 student's school student record. After the board reviews the
19 report, the principal must submit the report to the State Board
20 of Education. The State Board must submit an annual report to
21 the General Assembly compiling all of the reports received
22 under this subsection in the prior school year.

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