

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 Illinois Pension Code is amended by
5 changing Sections 16-133 and 16-136.4 as follows:

6 (40 ILCS 5/16-133) (from Ch. 108 1/2, par. 16-133)
7 Sec. 16-133. Retirement annuity; amount.

8 (a) The amount of the retirement annuity shall be (i) in
9 the case of a person who first became a teacher under this
10 Article before July 1, 2005, the larger of the amounts
11 determined under paragraphs (A) and (B) below, or (ii) in the
12 case of a person who first becomes a teacher under this Article
13 on or after July 1, 2005, the amount determined under the
14 applicable provisions of paragraph (B):

15 (A) An amount consisting of the sum of the following:

16 (1) An amount that can be provided on an
17 actuarially equivalent basis by the member's
18 accumulated contributions at the time of retirement;
19 and

20 (2) The sum of (i) the amount that can be provided
21 on an actuarially equivalent basis by the member's
22 accumulated contributions representing service prior
23 to July 1, 1947, and (ii) the amount that can be

1 provided on an actuarially equivalent basis by the
2 amount obtained by multiplying 1.4 times the member's
3 accumulated contributions covering service subsequent
4 to June 30, 1947; and

5 (3) If there is prior service, 2 times the amount
6 that would have been determined under subparagraph (2)
7 of paragraph (A) above on account of contributions
8 which would have been made during the period of prior
9 service creditable to the member had the System been
10 in operation and had the member made contributions at
11 the contribution rate in effect prior to July 1, 1947.

12 This paragraph (A) does not apply to a person who
13 first becomes a teacher under this Article on or after
14 July 1, 2005.

15 (B) An amount consisting of the greater of the
16 following:

17 (1) For creditable service earned before July 1,
18 1998 that has not been augmented under Section
19 16-129.1: 1.67% of final average salary for each of
20 the first 10 years of creditable service, 1.90% of
21 final average salary for each year in excess of 10 but
22 not exceeding 20, 2.10% of final average salary for
23 each year in excess of 20 but not exceeding 30, and
24 2.30% of final average salary for each year in excess
25 of 30; and

26 For creditable service earned on or after July 1,

1 1998 by a member who has at least 24 years of
2 creditable service on July 1, 1998 and who does not
3 elect to augment service under Section 16-129.1: 2.2%
4 of final average salary for each year of creditable
5 service earned on or after July 1, 1998 but before the
6 member reaches a total of 30 years of creditable
7 service and 2.3% of final average salary for each year
8 of creditable service earned on or after July 1, 1998
9 and after the member reaches a total of 30 years of
10 creditable service; and

11 For all other creditable service: 2.2% of final
12 average salary for each year of creditable service; or

13 (2) 1.5% of final average salary for each year of
14 creditable service plus the sum \$7.50 for each of the
15 first 20 years of creditable service.

16 The amount of the retirement annuity determined under this
17 paragraph (B) shall be reduced by 1/2 of 1% for each month
18 that the member is less than age 60 at the time the
19 retirement annuity begins. However, this reduction shall
20 not apply (i) if the member has at least 35 years of
21 creditable service, or (ii) if the member retires on
22 account of disability under Section 16-149.2 of this
23 Article with at least 20 years of creditable service, or
24 (iii) if the member (1) has earned during the period
25 immediately preceding the last day of service at least one
26 year of contributing creditable service as an employee of

1 a department as defined in Section 14-103.04, (2) has
2 earned at least 5 years of contributing creditable service
3 as an employee of a department as defined in Section
4 14-103.04, (3) retires on or after January 1, 2001, and
5 (4) retires having attained an age which, when added to
6 the number of years of his or her total creditable
7 service, equals at least 85. Portions of years shall be
8 counted as decimal equivalents.

9 (b) For purposes of this Section, except as provided in
10 subsection (b-5), final average salary shall be the average
11 salary for the highest 4 consecutive years within the last 10
12 years of creditable service as determined under rules of the
13 board.

14 The minimum final average salary shall be considered to
15 be \$2,400 per year.

16 In the determination of final average salary for members
17 other than elected officials and their appointees when such
18 appointees are allowed by statute, that part of a member's
19 salary for any year beginning after June 30, 1979 which
20 exceeds the member's annual full-time salary rate with the
21 same employer for the preceding year by more than 20% shall be
22 excluded. The exclusion shall not apply in any year in which
23 the member's creditable earnings are less than 50% of the
24 preceding year's mean salary for downstate teachers as
25 determined by a ~~the~~ survey of school district salaries
26 ~~provided in Section 2-3.103 of the School Code.~~

1 (b-5) A teacher who retires on or after June 1, 2021 and
2 for whom the 2020-2021 school year is used in the calculation
3 of the member's final average salary shall use the higher of
4 the following for the purpose of determining the member's
5 final average salary:

6 (A) the amount otherwise calculated under subsection
7 (b); or

8 (B) an amount calculated by the System using the
9 average salary for the 4 highest years within the last 10
10 years of creditable service as determined under the rules
11 of the board.

12 (c) In determining the amount of the retirement annuity
13 under paragraph (B) of this Section, a fractional year shall
14 be granted proportional credit.

15 (d) The retirement annuity determined under paragraph (B)
16 of this Section shall be available only to members who render
17 teaching service after July 1, 1947 for which member
18 contributions are required, and to annuitants who re-enter
19 under the provisions of Section 16-150.

20 (e) The maximum retirement annuity provided under
21 paragraph (B) of this Section shall be 75% of final average
22 salary.

23 (f) A member retiring after the effective date of this
24 amendatory Act of 1998 shall receive a pension equal to 75% of
25 final average salary if the member is qualified to receive a
26 retirement annuity equal to at least 74.6% of final average

1 salary under this Article or as proportional annuities under
2 Article 20 of this Code.

3 (Source: P.A. 102-16, eff. 6-17-21.)

4 (40 ILCS 5/16-136.4) (from Ch. 108 1/2, par. 16-136.4)

5 Sec. 16-136.4. Single-sum retirement benefit.

6 (a) A member who has less than 5 years of creditable
7 service shall be entitled, upon written application to the
8 board, to receive a retirement benefit payable in a single sum
9 upon or after the member's attainment of age 65. However, the
10 benefit shall not be paid while the member is employed as a
11 teacher in the schools included under this Article or Article
12 17, unless the System is required by federal law to make
13 payment due to the member's age.

14 (b) The retirement benefit shall consist of a single sum
15 that is the actuarial equivalent of a life annuity consisting
16 of 1.67% of the member's final average salary for each year of
17 creditable service. In determining the amount of the benefit,
18 a fractional year shall be granted proportional credit.

19 For the purposes of this Section, final average salary
20 shall be the average salary of the member's highest 4
21 consecutive years of service as determined under rules of the
22 board. For a member with less than 4 consecutive years of
23 service, final average salary shall be the average salary
24 during the member's entire period of service. In the
25 determination of final average salary for members other than

1 elected officials and their appointees when such appointees
2 are allowed by statute, that part of a member's salary which
3 exceeds the member's annual full-time salary rate with the
4 same employer for the preceding year by more than 20% shall be
5 excluded. The exclusion shall not apply in any year in which
6 the member's creditable earnings are less than 50% of the
7 preceding year's mean salary for downstate teachers as
8 determined by a ~~the~~ survey of school district salaries
9 ~~provided in Section 2-3.103 of the School Code.~~

10 (c) The retirement benefit determined under this Section
11 shall be available to all members who render teaching service
12 after July 1, 1947 for which member contributions are
13 required.

14 (d) Upon acceptance of the retirement benefit, all of the
15 member's accrued rights and credits in the System are
16 forfeited. Receipt of a single-sum retirement benefit under
17 this Section does not make a person an "annuitant" for the
18 purposes of this Article, nor a "benefit recipient" for the
19 purposes of Sections 16-153.1 through 16-153.4.

20 (Source: P.A. 91-887, eff. 7-6-00.)

21 Section 10. The School Code is amended by adding Section
22 2-3.192 and by changing Sections 10-17, 10-20.44, and 27-23.7
23 as follows:

24 (105 ILCS 5/2-3.192 new)

1 Sec. 2-3.192. Limitations on reporting.

2 (a) In order to reduce redundancy and increase efficiency,
3 the State Board of Education shall merge the end-of-the-year
4 grant periodic report with the fourth quarter electronic
5 expenditure report.

6 (b) In order to reduce redundancy and increase efficiency,
7 the ISBE Survey of Unfilled Teaching Positions shall be merged
8 with the Illinois Association of Regional School
9 Superintendents' Educator Shortage Survey.

10 (c) No later than July 1, 2023, the State Board shall merge
11 the evidence-based spending plan with existing reports to
12 reduce reporting burdens on school districts.

13 (d) Beginning July 1, 2022, the State Board may not
14 require school districts to complete the NCLB/ESSA Monitoring
15 Instrument.

16 (e) The State Board shall eliminate all outdated
17 categories and reports from its Web Application Security
18 System (IWAS), including IDEA Part B Flow-through, IDEA Part B
19 Preschool, ARRA Education Jobs Supplemental Funds, ARRA IDEA
20 Part B Flow-through, ARRA IDEA Part B Preschool, the ARRA NCLB
21 Consolidated Application, the Foster Care Transportation Plan,
22 the GATA Risk Assessment, the NCLB Consolidated Application,
23 Preschool for All Cont. 0-3 EC, Preschool for All Cont. 3-5 EC,
24 the Teacher Quality-Teacher Residencies RFP, the Title I
25 District Plan, the Reduction in Force Survey, the Survey of
26 Learning Conditions, the End of the Year Report, the Teacher

1 Salary Study, and ISBE Dash. The State Board shall merge the 2
2 sections titled "Annual" in IWAS under a single section titled
3 "Annual". The State Board may not include categories and
4 reports in IWAS that are not applicable to a school district.

5 (f) The State Board shall be responsible for extracting
6 data from the Annual Financial Report and importing the data
7 into the IDEA Maintenance of Effort and IDEA Excess Cost
8 Reports.

9 (g) The State Board's maintenance of effort report shall
10 draw data from the merged report under subsection (f). The
11 maintenance of effort report shall require a verification
12 process rather than require district administrators to provide
13 data for the report.

14 (h) The State Board shall categorize school energy
15 efficiency grants and school maintenance grants as grants, not
16 surveys, in reports concerning those grants.

17 (i) The State Board may send notices regarding reporting
18 deadlines only to districts that have not already completed
19 their reporting.

20 (105 ILCS 5/10-17) (from Ch. 122, par. 10-17)

21 Sec. 10-17. Accounting; vendor reports ~~Statement of~~
22 ~~affairs.~~

23 (a) In Class I or Class II county school units the school
24 board may use either a cash basis or accrual system of
25 accounting; however, any board so electing to use the accrual

1 system may not change to a cash basis without the permission of
2 the State Board of Education.

3 School Boards using either a cash basis or accrual system
4 of accounting shall maintain records showing the assets,
5 liabilities and fund balances in such minimum forms as may be
6 prescribed by the State Board of Education. Such boards shall
7 make available to the public a statement as provided in
8 subsection (b) ~~of the affairs of the district~~ prior to
9 December 1 annually by submitting the statement ~~of affairs~~ in
10 such form as may be prescribed by the State Board of Education
11 for posting on the State Board of Education's Internet website
12 and, by having copies of the statement ~~of affairs~~ available in
13 the main administrative office of the district, ~~and by~~
14 ~~publishing in a newspaper of general circulation published in~~
15 ~~the school district an annual statement of affairs summary~~
16 ~~containing at a minimum all of the following information:~~

17 ~~(1) A summary statement of operations for all funds of~~
18 ~~the district, as excerpted from the statement of affairs~~
19 ~~filed with the State Board of Education. The summary~~
20 ~~statement must include a listing of all moneys received by~~
21 ~~the district, indicating the total amounts, in the~~
22 ~~aggregate, each fund of the district received, with a~~
23 ~~general statement concerning the source of receipts.~~

24 ~~(2) Except as provided in subdivision (3) of this~~
25 ~~subsection (a), a listing of all moneys paid out by the~~
26 ~~district where the total amount paid during the fiscal~~

1 ~~year exceeds \$2,500 in the aggregate per person, giving~~
2 ~~the name of each person to whom moneys were paid and the~~
3 ~~total paid to each person.~~

4 ~~(3) A listing of all personnel, by name, with an~~
5 ~~annual fiscal year gross payment in the categories set~~
6 ~~forth in subdivisions 1 and 2 of subsection (c) of this~~
7 ~~Section.~~

8 ~~In this Section, "newspaper of general circulation" means a~~
9 ~~newspaper of general circulation published in the school~~
10 ~~district, or, if no newspaper is published in the school~~
11 ~~district, a newspaper published in the county where the school~~
12 ~~district is located or, if no newspaper is published in the~~
13 ~~county, a newspaper published in the educational service~~
14 ~~region where the regional superintendent of schools has~~
15 ~~supervision and control of the school district. The submission~~
16 ~~to the State Board of Education shall include an assurance~~
17 ~~that the statement of affairs has been made available in the~~
18 ~~main administrative office of the school district and that the~~
19 ~~required notice has been published in accordance with this~~
20 ~~Section.~~

21 After December 15 annually, upon 10 days prior written
22 notice to the school district, the State Board of Education
23 may discontinue the processing of payments to the State
24 Comptroller's office on behalf of any school district that is
25 not in compliance with the requirements imposed by this
26 Section. The State Board of Education shall resume the

1 processing of payments to the State Comptroller's Office on
2 behalf of the school district once the district is in
3 compliance with the requirements imposed by this Section.

4 ~~The State Board of Education must post, on or before~~
5 ~~January 15, all statements of affairs timely received from~~
6 ~~school districts.~~

7 (b) ~~When any school district is the administrative~~
8 ~~district for several school districts operating under a joint~~
9 ~~agreement as authorized by this Code, no receipts or~~
10 ~~disbursements accruing, received or paid out by that school~~
11 ~~district as such an administrative district shall be included~~
12 ~~in the statement of affairs of the district required by this~~
13 ~~Section. However, that district shall have prepared and made~~
14 ~~available to the public, in accordance with subsection (a) of~~
15 ~~this Section, in the same manner and subject to the same~~
16 ~~requirements as are provided in this Section for the statement~~
17 ~~of affairs of that district, a statement showing the cash~~
18 ~~receipts and disbursements by funds (or the revenue, expenses~~
19 ~~and financial position, if the accrual system of accounting is~~
20 ~~used) of the district as such administrative district, in the~~
21 ~~form prescribed by the State Board of Education. The costs of~~
22 ~~publishing the notice and summary of this separate statement~~
23 ~~prepared by such an administrative district shall be~~
24 ~~apportioned among and paid by the participating districts in~~
25 ~~the same manner as other costs and expenses accruing to those~~
26 ~~districts jointly. School districts on a cash basis shall have~~

1 prepared and made available to the public, in accordance with
2 subsection (a) of this Section, a statement showing the cash
3 receipts and disbursements by funds in the form prescribed by
4 the State Board of Education.

5 School districts using the accrual system of accounting
6 shall have prepared and made available to the public, in
7 accordance with subsection (a) of this Section, a statement of
8 revenue and expenses and a statement of financial position in
9 the form prescribed by the State Board of Education.

10 In Class II county school units such statement shall be
11 prepared and made available to the public, in accordance with
12 subsection (a) of this Section, by the township treasurer of
13 the unit within which such districts are located, except with
14 respect to the school board of any school district that no
15 longer is subject to the jurisdiction and authority of a
16 township treasurer or trustees of schools of a township
17 because the district has withdrawn from the jurisdiction and
18 authority of the township treasurer and trustees of schools of
19 the township or because those offices have been abolished as
20 provided in subsection (b) or (c) of Section 5-1, and as to
21 each such school district the statement required by this
22 Section shall be prepared and made available to the public, in
23 accordance with subsection (a) of this Section, by the school
24 board of such district in the same manner as required for
25 school boards of school districts situated in Class I county
26 school units.

1 (c) (Blank). ~~The statement of affairs required pursuant to~~
2 ~~this Section shall contain such information as may be required~~
3 ~~by the State Board of Education, including:~~

4 ~~1. Annual fiscal year gross payment for certificated~~
5 ~~personnel to be shown by name, listing each employee in~~
6 ~~one of the following categories:~~

7 ~~(a) Under \$25,000~~

8 ~~(b) \$25,000 to \$39,999~~

9 ~~(c) \$40,000 to \$59,999~~

10 ~~(d) \$60,000 to \$89,999~~

11 ~~(e) \$90,000 and over~~

12 ~~2. Annual fiscal year payment for non-certificated~~
13 ~~personnel to be shown by name, listing each employee in~~
14 ~~one of the following categories:~~

15 ~~(a) Under \$25,000~~

16 ~~(b) \$25,000 to \$39,999~~

17 ~~(c) \$40,000 to \$59,999~~

18 ~~(d) \$60,000 and over~~

19 ~~3. In addition to wages and salaries all other moneys~~
20 ~~in the aggregate paid to recipients of \$1,000 or more,~~
21 ~~giving the name of the person, firm or corporation and the~~
22 ~~total amount received by each.~~

23 ~~4. Approximate size of school district in square~~
24 ~~miles.~~

25 ~~5. Number of school attendance centers.~~

26 ~~6. Numbers of employees as follows:~~

1 ~~(a) Full-time certificated employees;~~

2 ~~(b) Part-time certificated employees;~~

3 ~~(c) Full-time non-certificated employees;~~

4 ~~(d) Part-time non-certificated employees.~~

5 ~~7. Numbers of pupils as follows:~~

6 ~~(a) Enrolled by grades;~~

7 ~~(b) Total enrolled;~~

8 ~~(c) Average daily attendance.~~

9 ~~8. Assessed valuation as follows:~~

10 ~~(a) Total of the district;~~

11 ~~(b) Per pupil in average daily attendance.~~

12 ~~9. Tax rate for each district fund.~~

13 ~~10. District financial obligation at the close of the~~
14 ~~fiscal year as follows:~~

15 ~~(a) Teachers' orders outstanding;~~

16 ~~(b) Anticipation warrants outstanding for each~~
17 ~~fund.~~

18 ~~11. Total bonded debt at the close of the fiscal year.~~

19 ~~12. Percent of bonding power obligated currently.~~

20 ~~13. Value of capital assets of the district including:~~

21 ~~(a) Land;~~

22 ~~(b) Buildings;~~

23 ~~(c) Equipment.~~

24 ~~14. Total amount of investments each fund.~~

25 ~~15. Change in net cash position from the previous~~
26 ~~report period for each district fund.~~

1 A ~~In addition to the above report,~~ a report of
2 expenditures in the aggregate paid on behalf of recipients of
3 \$500 or more, giving the name of the person, firm or
4 corporation and the total amount received by each shall be
5 available in the school district office for public inspection.
6 This listing shall include all wages, salaries and
7 expenditures over \$500 expended from any revolving fund
8 maintained by the district. Any resident of the school
9 district may receive a copy of this report, upon request, by
10 paying a reasonable charge to defray the costs of preparing
11 such copy.

12 (d) All school districts shall post a vendor report on
13 their websites within 60 days after the completion of the
14 Annual Financial Report. The vendor report shall be broken
15 down as follows:

16 (1) expenses in the range of \$5,000 to \$24,999; and

17 (2) expenses in the range of \$25,000 and over.

18 (e) This Section does not apply to cities having a
19 population exceeding 500,000.

20 (Source: P.A. 94-875, eff. 7-1-06.)

21 (105 ILCS 5/10-20.44)

22 Sec. 10-20.44. Report on contracts.

23 (a) This Section applies to all school districts,
24 including a school district organized under Article 34 of this
25 Code.

1 (b) A school board must list on the district's Internet
2 website, if any, all contracts over \$25,000 and any contract
3 that the school board enters into with an exclusive bargaining
4 representative.

5 (c) Each year, ~~in conjunction with the submission of the~~
6 ~~Statement of Affairs to the State Board of Education~~ prior to
7 December 1, ~~provided for in Section 10-17,~~ each school
8 district shall submit to the State Board of Education an
9 annual report on all contracts over \$25,000 awarded by the
10 school district during the previous fiscal year. The report
11 shall include at least the following:

12 (1) the total number of all contracts awarded by the
13 school district;

14 (2) the total value of all contracts awarded;

15 (3) the number of contracts awarded to minority-owned
16 businesses, women-owned businesses, and businesses owned
17 by persons with disabilities, as defined in the Business
18 Enterprise for Minorities, Women, and Persons with
19 Disabilities Act, and locally owned businesses; and

20 (4) the total value of contracts awarded to
21 minority-owned businesses, women-owned businesses, and
22 businesses owned by persons with disabilities, as defined
23 in the Business Enterprise for Minorities, Women, and
24 Persons with Disabilities Act, and locally owned
25 businesses.

26 The report shall be made available to the public,

1 including publication on the school district's Internet
2 website, if any.

3 (Source: P.A. 100-391, eff. 8-25-17.)

4 (105 ILCS 5/27-23.7)

5 Sec. 27-23.7. Bullying prevention.

6 (a) The General Assembly finds that a safe and civil
7 school environment is necessary for students to learn and
8 achieve and that bullying causes physical, psychological, and
9 emotional harm to students and interferes with students'
10 ability to learn and participate in school activities. The
11 General Assembly further finds that bullying has been linked
12 to other forms of antisocial behavior, such as vandalism,
13 shoplifting, skipping and dropping out of school, fighting,
14 using drugs and alcohol, sexual harassment, and sexual
15 violence. Because of the negative outcomes associated with
16 bullying in schools, the General Assembly finds that school
17 districts, charter schools, and non-public, non-sectarian
18 elementary and secondary schools should educate students,
19 parents, and school district, charter school, or non-public,
20 non-sectarian elementary or secondary school personnel about
21 what behaviors constitute prohibited bullying.

22 Bullying on the basis of actual or perceived race, color,
23 religion, sex, national origin, ancestry, age, marital status,
24 physical or mental disability, military status, sexual
25 orientation, gender-related identity or expression,

1 unfavorable discharge from military service, association with
2 a person or group with one or more of the aforementioned actual
3 or perceived characteristics, or any other distinguishing
4 characteristic is prohibited in all school districts, charter
5 schools, and non-public, non-sectarian elementary and
6 secondary schools. No student shall be subjected to bullying:

7 (1) during any school-sponsored education program or
8 activity;

9 (2) while in school, on school property, on school
10 buses or other school vehicles, at designated school bus
11 stops waiting for the school bus, or at school-sponsored
12 or school-sanctioned events or activities;

13 (3) through the transmission of information from a
14 school computer, a school computer network, or other
15 similar electronic school equipment; or

16 (4) through the transmission of information from a
17 computer that is accessed at a nonschool-related location,
18 activity, function, or program or from the use of
19 technology or an electronic device that is not owned,
20 leased, or used by a school district or school if the
21 bullying causes a substantial disruption to the
22 educational process or orderly operation of a school. This
23 item (4) applies only in cases in which a school
24 administrator or teacher receives a report that bullying
25 through this means has occurred and does not require a
26 district or school to staff or monitor any

1 nonschool-related activity, function, or program.

2 (a-5) Nothing in this Section is intended to infringe upon
3 any right to exercise free expression or the free exercise of
4 religion or religiously based views protected under the First
5 Amendment to the United States Constitution or under Section 3
6 of Article I of the Illinois Constitution.

7 (b) In this Section:

8 "Bullying" includes "cyber-bullying" and means any severe
9 or pervasive physical or verbal act or conduct, including
10 communications made in writing or electronically, directed
11 toward a student or students that has or can be reasonably
12 predicted to have the effect of one or more of the following:

13 (1) placing the student or students in reasonable fear
14 of harm to the student's or students' person or property;

15 (2) causing a substantially detrimental effect on the
16 student's or students' physical or mental health;

17 (3) substantially interfering with the student's or
18 students' academic performance; or

19 (4) substantially interfering with the student's or
20 students' ability to participate in or benefit from the
21 services, activities, or privileges provided by a school.

22 Bullying, as defined in this subsection (b), may take
23 various forms, including without limitation one or more of the
24 following: harassment, threats, intimidation, stalking,
25 physical violence, sexual harassment, sexual violence, theft,
26 public humiliation, destruction of property, or retaliation

1 for asserting or alleging an act of bullying. This list is
2 meant to be illustrative and non-exhaustive.

3 "Cyber-bullying" means bullying through the use of
4 technology or any electronic communication, including without
5 limitation any transfer of signs, signals, writing, images,
6 sounds, data, or intelligence of any nature transmitted in
7 whole or in part by a wire, radio, electromagnetic system,
8 photoelectronic system, or photooptical system, including
9 without limitation electronic mail, Internet communications,
10 instant messages, or facsimile communications.

11 "Cyber-bullying" includes the creation of a webpage or weblog
12 in which the creator assumes the identity of another person or
13 the knowing impersonation of another person as the author of
14 posted content or messages if the creation or impersonation
15 creates any of the effects enumerated in the definition of
16 bullying in this Section. "Cyber-bullying" also includes the
17 distribution by electronic means of a communication to more
18 than one person or the posting of material on an electronic
19 medium that may be accessed by one or more persons if the
20 distribution or posting creates any of the effects enumerated
21 in the definition of bullying in this Section.

22 "Policy on bullying" means a bullying prevention policy
23 that meets the following criteria:

24 (1) Includes the bullying definition provided in this
25 Section.

26 (2) Includes a statement that bullying is contrary to

1 State law and the policy of the school district, charter
2 school, or non-public, non-sectarian elementary or
3 secondary school and is consistent with subsection (a-5)
4 of this Section.

5 (3) Includes procedures for promptly reporting
6 bullying, including, but not limited to, identifying and
7 providing the school e-mail address (if applicable) and
8 school telephone number for the staff person or persons
9 responsible for receiving such reports and a procedure for
10 anonymous reporting; however, this shall not be construed
11 to permit formal disciplinary action solely on the basis
12 of an anonymous report.

13 (4) Consistent with federal and State laws and rules
14 governing student privacy rights, includes procedures for
15 promptly informing parents or guardians of all students
16 involved in the alleged incident of bullying and
17 discussing, as appropriate, the availability of social
18 work services, counseling, school psychological services,
19 other interventions, and restorative measures.

20 (5) Contains procedures for promptly investigating and
21 addressing reports of bullying, including the following:

22 (A) Making all reasonable efforts to complete the
23 investigation within 10 school days after the date the
24 report of the incident of bullying was received and
25 taking into consideration additional relevant
26 information received during the course of the

1 investigation about the reported incident of bullying.

2 (B) Involving appropriate school support personnel
3 and other staff persons with knowledge, experience,
4 and training on bullying prevention, as deemed
5 appropriate, in the investigation process.

6 (C) Notifying the principal or school
7 administrator or his or her designee of the report of
8 the incident of bullying as soon as possible after the
9 report is received.

10 (D) Consistent with federal and State laws and
11 rules governing student privacy rights, providing
12 parents and guardians of the students who are parties
13 to the investigation information about the
14 investigation and an opportunity to meet with the
15 principal or school administrator or his or her
16 designee to discuss the investigation, the findings of
17 the investigation, and the actions taken to address
18 the reported incident of bullying.

19 (6) Includes the interventions that can be taken to
20 address bullying, which may include, but are not limited
21 to, school social work services, restorative measures,
22 social-emotional skill building, counseling, school
23 psychological services, and community-based services.

24 (7) Includes a statement prohibiting reprisal or
25 retaliation against any person who reports an act of
26 bullying and the consequences and appropriate remedial

1 actions for a person who engages in reprisal or
2 retaliation.

3 (8) Includes consequences and appropriate remedial
4 actions for a person found to have falsely accused another
5 of bullying as a means of retaliation or as a means of
6 bullying.

7 (9) Is based on the engagement of a range of school
8 stakeholders, including students and parents or guardians.

9 (10) Is posted on the school district's, charter
10 school's, or non-public, non-sectarian elementary or
11 secondary school's existing Internet website, is included
12 in the student handbook, and, where applicable, posted
13 where other policies, rules, and standards of conduct are
14 currently posted in the school and provided periodically
15 throughout the school year to students and faculty, and is
16 distributed annually to parents, guardians, students, and
17 school personnel, including new employees when hired.

18 (11) As part of the process of reviewing and
19 re-evaluating the policy under subsection (d) of this
20 Section, contains a policy evaluation process to assess
21 the outcomes and effectiveness of the policy that
22 includes, but is not limited to, factors such as the
23 frequency of victimization; student, staff, and family
24 observations of safety at a school; identification of
25 areas of a school where bullying occurs; the types of
26 bullying utilized; and bystander intervention or

1 participation. The school district, charter school, or
2 non-public, non-sectarian elementary or secondary school
3 may use relevant data and information it already collects
4 for other purposes in the policy evaluation. The
5 information developed as a result of the policy evaluation
6 must be made available on the Internet website of the
7 school district, charter school, or non-public,
8 non-sectarian elementary or secondary school. If an
9 Internet website is not available, the information must be
10 provided to school administrators, school board members,
11 school personnel, parents, guardians, and students.

12 (12) Is consistent with the policies of the school
13 board, charter school, or non-public, non-sectarian
14 elementary or secondary school.

15 "Restorative measures" means a continuum of school-based
16 alternatives to exclusionary discipline, such as suspensions
17 and expulsions, that: (i) are adapted to the particular needs
18 of the school and community, (ii) contribute to maintaining
19 school safety, (iii) protect the integrity of a positive and
20 productive learning climate, (iv) teach students the personal
21 and interpersonal skills they will need to be successful in
22 school and society, (v) serve to build and restore
23 relationships among students, families, schools, and
24 communities, (vi) reduce the likelihood of future disruption
25 by balancing accountability with an understanding of students'
26 behavioral health needs in order to keep students in school,

1 and (vii) increase student accountability if the incident of
2 bullying is based on religion, race, ethnicity, or any other
3 category that is identified in the Illinois Human Rights Act.

4 "School personnel" means persons employed by, on contract
5 with, or who volunteer in a school district, charter school,
6 or non-public, non-sectarian elementary or secondary school,
7 including without limitation school and school district
8 administrators, teachers, school social workers, school
9 counselors, school psychologists, school nurses, cafeteria
10 workers, custodians, bus drivers, school resource officers,
11 and security guards.

12 (c) (Blank).

13 (d) Each school district, charter school, and non-public,
14 non-sectarian elementary or secondary school shall create,
15 maintain, and implement a policy on bullying. A school
16 district organized under Article 34, must file its, which
17 policy must be filed with the State Board of Education. The
18 policy or implementing procedure shall include a process to
19 investigate whether a reported act of bullying is within the
20 permissible scope of the district's or school's jurisdiction
21 and shall require that the district or school provide the
22 victim with information regarding services that are available
23 within the district and community, such as counseling, support
24 services, and other programs. School personnel available for
25 help with a bully or to make a report about bullying shall be
26 made known to parents or legal guardians, students, and school

1 personnel. Every 2 years, each school district, charter
2 school, and non-public, non-sectarian elementary or secondary
3 school shall conduct a review and re-evaluation of its policy
4 and make any necessary and appropriate revisions. A school
5 district organized under Article 34 must file its ~~The policy~~
6 ~~must be filed~~ with the State Board of Education after being
7 updated. The State Board of Education shall monitor and
8 provide technical support for the implementation of policies
9 created under this subsection (d).

10 (e) This Section shall not be interpreted to prevent a
11 victim from seeking redress under any other available civil or
12 criminal law.

13 (Source: P.A. 102-197, eff. 7-30-21; 102-241, eff. 8-3-21;
14 revised 10-18-21.)

15 (105 ILCS 5/2-3.103 rep.)

16 (105 ILCS 5/10-20.26 rep.)

17 Section 15. The School Code is amended by repealing
18 Sections 2-3.103 and 10-20.26.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.