

HB4443



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4443

Introduced 1/16/2024, by Rep. Daniel Didech

SYNOPSIS AS INTRODUCED:

105 ILCS 128/20

Amends the School Safety Drill Act. Provides that a law enforcement lockdown drill must not be conducted on the day of or within 2 days before a school-administered standardized test.

LRB103 33377 RJT 63189 b

A BILL FOR

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 School Safety Drill Act is amended by
5 changing Section 20 as follows:

6 (105 ILCS 128/20)

7 (Text of Section before amendment by P.A. 103-197)

8 Sec. 20. Number of drills; incidents covered; local
9 authority participation.

10 (a) During each academic year, schools must conduct a
11 minimum of 3 school evacuation drills to address and prepare
12 students and school personnel for fire incidents. These drills
13 must meet all of the following criteria:

14 (1) One of the 3 school evacuation drills shall
15 require the participation of the appropriate local fire
16 department or district.

17 (A) Each local fire department or fire district
18 must contact the appropriate school administrator or
19 his or her designee no later than September 1 of each
20 year in order to arrange for the participation of the
21 department or district in the school evacuation drill.

22 (B) Each school administrator or his or her
23 designee must contact the responding local fire

1 official no later than September 15 of each year and
2 propose to the local fire official 4 dates within the
3 month of October, during at least 2 different weeks of
4 October, on which the drill shall occur. The fire
5 official may choose any of the 4 available dates, and
6 if he or she does so, the drill shall occur on that
7 date.

8 (C) The school administrator or his or her
9 designee and the local fire official may also, by
10 mutual agreement, set any other date for the drill,
11 including a date outside of the month of October.

12 (D) If the fire official does not select one of the
13 4 offered dates in October or set another date by
14 mutual agreement, the requirement that the school
15 include the local fire service in one of its mandatory
16 school evacuation drills shall be waived. Schools,
17 however, shall continue to be strongly encouraged to
18 include the fire service in a school evacuation drill
19 at a mutually agreed-upon time.

20 (E) Upon the participation of the local fire
21 service, the appropriate local fire official shall
22 certify that the school evacuation drill was
23 conducted.

24 (F) When scheduling the school evacuation drill,
25 the school administrator or his or her designee and
26 the local fire department or fire district may, by

1 mutual agreement on or before September 14, choose to
2 waive the provisions of subparagraphs (B), (C), and
3 (D) of this paragraph (1).

4 Additional school evacuation drills for fire incidents
5 may involve the participation of the appropriate local
6 fire department or district.

7 (2) Schools may conduct additional school evacuation
8 drills to account for other evacuation incidents,
9 including without limitation suspicious items or bomb
10 threats.

11 (3) All drills shall be conducted at each school
12 building that houses school children.

13 (b) During each academic year, schools must conduct a
14 minimum of one bus evacuation drill. This drill shall be
15 accounted for in the curriculum in all public schools and in
16 all other educational institutions in this State that are
17 supported or maintained, in whole or in part, by public funds
18 and that provide instruction in any of the grades kindergarten
19 through 12. This curriculum shall include instruction in safe
20 bus riding practices for all students. Schools may conduct
21 additional bus evacuation drills. All drills shall be
22 conducted at each school building that houses school children.

23 (b-5) Notwithstanding the minimum requirements established
24 by this Act, private schools that do not utilize a bus to
25 transport students for any purpose are exempt from subsection
26 (b) of this Section, provided that the chief school

1 administrator of the private school provides written assurance
2 to the State Board of Education that the private school does
3 not plan to utilize a bus to transport students for any purpose
4 during the current academic year. The assurance must be made
5 on a form supplied by the State Board of Education and filed no
6 later than October 15. If a private school utilizes a bus to
7 transport students for any purpose during an academic year
8 when an assurance pursuant to this subsection (b-5) has been
9 filed with the State Board of Education, the private school
10 shall immediately notify the State Board of Education and
11 comply with subsection (b) of this Section no later than 30
12 calendar days after utilization of the bus to transport
13 students, except that, at the discretion of the private
14 school, students chosen for participation in the bus
15 evacuation drill need include only the subgroup of students
16 that are utilizing bus transportation.

17 (c) During each academic year, schools must conduct a law
18 enforcement lockdown drill to address a school shooting
19 incident. No later than 90 days after the first day of each
20 school year, schools must conduct at least one law enforcement
21 lockdown drill that addresses an active threat or an active
22 shooter within a school building. Such drills must be
23 conducted according to the school district's or private
24 school's emergency and crisis response plans, protocols, and
25 procedures to evaluate the preparedness of school personnel
26 and students. Law enforcement lockdown drills must be

1 conducted on days and times when students are normally present
2 in the school building and must involve participation from all
3 school personnel and students present at school at the time of
4 the lockdown drill, except that administrators or school
5 support personnel in their discretion may exempt students from
6 the lockdown drill. The appropriate local law enforcement
7 agency shall observe the administration of the lockdown drill.
8 All drills must be conducted at each school building that
9 houses school children.

10 (1) A law enforcement lockdown drill must meet all of
11 the following criteria:

12 (A) During each calendar year, the appropriate
13 local law enforcement agency shall contact the
14 appropriate school administrator to request to
15 participate in a law enforcement lockdown drill. The
16 school administrator and local law enforcement agency
17 shall set, by mutual agreement, a date for the
18 lockdown drill.

19 (A-5) The lockdown drill shall require the on-site
20 participation of the local law enforcement agency. If
21 a mutually agreeable date cannot be reached between
22 the school administrator and the appropriate local law
23 enforcement agency, then the school shall still hold
24 the lockdown drill without participation from the
25 agency.

26 (B) Upon the participation of a local law

1 enforcement agency in a law enforcement lockdown
2 drill, the appropriate local law enforcement official
3 shall certify that the law enforcement lockdown drill
4 was conducted and notify the school in a timely manner
5 of any deficiencies noted during the drill.

6 (C) The lockdown drill must not include
7 simulations that mimic an actual school shooting
8 incident or active shooter event.

9 (D) All lockdown drills must be announced in
10 advance to all school personnel and students prior to
11 the commencement of the drill.

12 (E) Lockdown drill content must be age appropriate
13 and developmentally appropriate.

14 (F) Lockdown drills must include and involve
15 school personnel, including school-based mental health
16 professionals.

17 (G) Lockdown drills must include trauma-informed
18 approaches to address the concerns and well-being of
19 students and school personnel.

20 (H) The lockdown drill must not be conducted on
21 the day of or within 2 days before a
22 school-administered standardized test.

23 (2) Schools may conduct additional law enforcement
24 drills at their discretion.

25 (3) (Blank).

26 (4) School administrators and school support personnel

1 may, in their discretion, exempt a student or students
2 from participating in a walk-through lockdown drill.

3 (5) Schools must provide sufficient information and
4 notification to parents and guardians in advance of any
5 walk-through lockdown drill that involves the
6 participation of students. Schools must also provide to
7 parents and guardians an opportunity to exempt their child
8 for any reason from participating in the walk-through
9 lockdown drill.

10 (6) Schools must provide alternative safety education
11 and instruction related to an active threat or active
12 shooter event to students who do not participate in a
13 walk-through lockdown drill to provide them with essential
14 information, training, and instruction through less
15 sensorial safety training methods.

16 (7) During the drill, students must be allowed to ask
17 questions related to the drill.

18 (8) Law enforcement may choose to run an active
19 shooter simulation, including simulated gun fire drills,
20 but only on school days when students are not present.
21 Parental notification is not required for drills conducted
22 pursuant to this paragraph (8) if students are not
23 required to be present.

24 (d) During each academic year, schools must conduct a
25 minimum of one severe weather and shelter-in-place drill to
26 address and prepare students and school personnel for possible

1 tornado incidents and may conduct additional severe weather
2 and shelter-in-place drills to account for other incidents,
3 including without limitation earthquakes or hazardous
4 materials. All drills shall be conducted at each school
5 building that houses school children.

6 (Source: P.A. 102-395, eff. 8-16-21.)

7 (Text of Section after amendment by P.A. 103-197)

8 Sec. 20. Number of drills; incidents covered; local
9 authority participation.

10 (a) During each academic year, schools must conduct a
11 minimum of 3 school evacuation drills to address and prepare
12 students and school personnel for fire incidents. These drills
13 must meet all of the following criteria:

14 (1) One of the 3 school evacuation drills shall
15 require the participation of the appropriate local fire
16 department or district.

17 (A) Each local fire department or fire district
18 must contact the appropriate school administrator or
19 his or her designee no later than September 1 of each
20 year in order to arrange for the participation of the
21 department or district in the school evacuation drill.

22 (B) Each school administrator or his or her
23 designee must contact the responding local fire
24 official no later than September 15 of each year and
25 propose to the local fire official 4 dates within the

1 month of October, during at least 2 different weeks of
2 October, on which the drill shall occur. The fire
3 official may choose any of the 4 available dates, and
4 if he or she does so, the drill shall occur on that
5 date.

6 (C) The school administrator or his or her
7 designee and the local fire official may also, by
8 mutual agreement, set any other date for the drill,
9 including a date outside of the month of October.

10 (D) If the fire official does not select one of the
11 4 offered dates in October or set another date by
12 mutual agreement, the requirement that the school
13 include the local fire service in one of its mandatory
14 school evacuation drills shall be waived. Schools,
15 however, shall continue to be strongly encouraged to
16 include the fire service in a school evacuation drill
17 at a mutually agreed-upon time.

18 (E) Upon the participation of the local fire
19 service, the appropriate local fire official shall
20 certify that the school evacuation drill was
21 conducted.

22 (F) When scheduling the school evacuation drill,
23 the school administrator or his or her designee and
24 the local fire department or fire district may, by
25 mutual agreement on or before September 14, choose to
26 waive the provisions of subparagraphs (B), (C), and

1 (D) of this paragraph (1).

2 Additional school evacuation drills for fire incidents
3 may involve the participation of the appropriate local
4 fire department or district.

5 (2) Schools may conduct additional school evacuation
6 drills to account for other evacuation incidents,
7 including without limitation suspicious items or bomb
8 threats.

9 (3) All drills shall be conducted at each school
10 building that houses school children.

11 (b) During each academic year, schools must conduct a
12 minimum of one bus evacuation drill. This drill shall be
13 accounted for in the curriculum in all public schools and in
14 all other educational institutions in this State that are
15 supported or maintained, in whole or in part, by public funds
16 and that provide instruction in any of the grades kindergarten
17 through 12. This curriculum shall include instruction in safe
18 bus riding practices for all students. Schools may conduct
19 additional bus evacuation drills. All drills shall be
20 conducted at each school building that houses school children.

21 (b-5) Notwithstanding the minimum requirements established
22 by this Act, private schools that do not utilize a bus to
23 transport students for any purpose are exempt from subsection
24 (b) of this Section, provided that the chief school
25 administrator of the private school provides written assurance
26 to the State Board of Education that the private school does

1 not plan to utilize a bus to transport students for any purpose
2 during the current academic year. The assurance must be made
3 on a form supplied by the State Board of Education and filed no
4 later than October 15. If a private school utilizes a bus to
5 transport students for any purpose during an academic year
6 when an assurance pursuant to this subsection (b-5) has been
7 filed with the State Board of Education, the private school
8 shall immediately notify the State Board of Education and
9 comply with subsection (b) of this Section no later than 30
10 calendar days after utilization of the bus to transport
11 students, except that, at the discretion of the private
12 school, students chosen for participation in the bus
13 evacuation drill need include only the subgroup of students
14 that are utilizing bus transportation.

15 (c) During each academic year, schools must conduct a law
16 enforcement lockdown drill to address a school shooting
17 incident. No later than 90 days after the first day of each
18 school year, schools must conduct at least one law enforcement
19 lockdown drill that addresses an active threat or an active
20 shooter within a school building. Such drills must be
21 conducted according to the school district's or private
22 school's emergency and crisis response plans, protocols, and
23 procedures to evaluate the preparedness of school personnel
24 and students. Law enforcement lockdown drills must be
25 conducted on days and times when students are normally present
26 in the school building and must involve participation from all

1 school personnel and students present at school at the time of
2 the lockdown drill, except that administrators or school
3 support personnel in their discretion may exempt students from
4 the lockdown drill. The appropriate local law enforcement
5 agency shall observe the administration of the lockdown drill.
6 All drills must be conducted at each school building that
7 houses school children.

8 (1) A law enforcement lockdown drill must meet all of
9 the following criteria:

10 (A) During each calendar year, the appropriate
11 local law enforcement agency shall contact the
12 appropriate school administrator to request to
13 participate in a law enforcement lockdown drill. The
14 school administrator and local law enforcement agency
15 shall set, by mutual agreement, a date for the
16 lockdown drill.

17 (A-5) The lockdown drill shall require the on-site
18 participation of the local law enforcement agency. If
19 a mutually agreeable date cannot be reached between
20 the school administrator and the appropriate local law
21 enforcement agency, then the school shall still hold
22 the lockdown drill without participation from the
23 agency.

24 (B) Upon the participation of a local law
25 enforcement agency in a law enforcement lockdown
26 drill, the appropriate local law enforcement official

1 shall certify that the law enforcement lockdown drill
2 was conducted and notify the school in a timely manner
3 of any deficiencies noted during the drill.

4 (C) The lockdown drill must not include
5 simulations that mimic an actual school shooting
6 incident or active shooter event.

7 (D) All lockdown drills must be announced in
8 advance to all school personnel and students prior to
9 the commencement of the drill.

10 (E) Lockdown drill content must be age appropriate
11 and developmentally appropriate.

12 (F) Lockdown drills must include and involve
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14 professionals.

15 (G) Lockdown drills must include trauma-informed
16 approaches to address the concerns and well-being of
17 students and school personnel.

18 (H) The lockdown drill must not be conducted on
19 the day of or within 2 days before a
20 school-administered standardized test.

21 (2) Schools may conduct additional law enforcement
22 drills at their discretion.

23 (3) (Blank).

24 (4) School administrators and school support personnel
25 may, in their discretion, exempt a student or students
26 from participating in a walk-through lockdown drill. When

1 deciding whether to exempt a student from participating in
2 a walk-through lockdown drill, the administrator and
3 school support personnel shall include the student's
4 individualized education program team or federal Section
5 504 plan team in the decision to exempt the student from
6 participating.

7 (5) Schools must provide sufficient information and
8 notification to parents and guardians in advance of any
9 walk-through lockdown drill that involves the
10 participation of students. Schools must also provide to
11 parents and guardians an opportunity to exempt their child
12 for any reason from participating in the walk-through
13 lockdown drill.

14 (6) Schools must provide alternative safety education
15 and instruction related to an active threat or active
16 shooter event to students who do not participate in a
17 walk-through lockdown drill to provide them with essential
18 information, training, and instruction through less
19 sensorial safety training methods.

20 (7) During the drill, students must be allowed to ask
21 questions related to the drill.

22 (8) Law enforcement may choose to run an active
23 shooter simulation, including simulated gun fire drills,
24 but only on school days when students are not present.
25 Parental notification is not required for drills conducted
26 pursuant to this paragraph (8) if students are not

1 required to be present.

2 (d) During each academic year, schools must conduct a
3 minimum of one severe weather and shelter-in-place drill to
4 address and prepare students and school personnel for possible
5 tornado incidents and may conduct additional severe weather
6 and shelter-in-place drills to account for other incidents,
7 including without limitation earthquakes or hazardous
8 materials. All drills shall be conducted at each school
9 building that houses school children.

10 (Source: P.A. 102-395, eff. 8-16-21; 103-197, eff. 1-1-24.)

11 Section 95. No acceleration or delay. Where this Act makes
12 changes in a statute that is represented in this Act by text
13 that is not yet or no longer in effect (for example, a Section
14 represented by multiple versions), the use of that text does
15 not accelerate or delay the taking effect of (i) the changes
16 made by this Act or (ii) provisions derived from any other
17 Public Act.