



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4690

Introduced 2/6/2024, by Rep. Tim Ozinga

SYNOPSIS AS INTRODUCED:

New Act

Creates the Communication and Actions in Public Schools Act. Provides that no communication by a public school entity, official representative thereof, professional employee, or guest school speaker may compel a person to adopt, affirm, adhere to, or profess an idea that violates Title IV or Title VI of the federal Civil Rights Act of 1964 or adopt, affirm, adhere to, or profess specified concepts. Provides that nothing in those provisions may be construed to prohibit the discussion of ideas and history of the described concepts or may be construed to prohibit the discussion of public policy issues of the day or ideas that individuals may find unwelcome, disagreeable, or offensive. Sets forth provisions concerning a refusal to engage in any of the specified concepts. Provides that no public school entity may use funds from any source to engage in any of the specified concepts. Provides that the State Board of Education shall develop and make available to professional employees technical assistance, guidance, and professional development in accordance with specified provisions. Sets forth requirements for contractors with a public school entity. Provides that a parent, student, professional employee, or other person interacting with a public school entity may file a complaint with the school board of the school district alleging a violation of the Act by a professional employee or contractor. Sets forth other enforcement provisions. Provides that the State Board shall develop a policy on how a complaint may be filed. Provides that the policy shall be made available on the State Board's Internet website. Provides that the State Board may adopt rules to implement the Act.

LRB103 35709 RJT 65786 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 1. Short title. This Act may be cited as the
5 Communications and Actions in Public Schools Act.

6 Section 5. Definitions. As used in this Act:

7 "Contractor" means an individual, organization,
8 corporation, or business that enters into a contract or a
9 subcontract pursuant to a contract with a public school
10 entity.

11 "Board" means the State Board of Education.

12 "Professional employee" means a licensed teacher,
13 supervisor, supervising principal, principal, assistant
14 principal, vice principal, director of career and technical
15 education, visiting teacher, substitute teacher, school
16 counselor, school librarian, or school secretary.

17 "Public school entity" means a public school located in
18 this State and that school's professional employees.

19 Section 10. Communication and actions by public school
20 entities.

21 (a) No communication by a public school entity, official
22 representative thereof, professional employee, or guest school

1 speaker may compel a person to adopt, affirm, adhere to, or
2 profess an idea that violates Title IV or Title VI of the
3 federal Civil Rights Act of 1964 or adopt, affirm, adhere to,
4 or profess an idea that:

5 (1) people of one age, sex, gender identity, sexual
6 orientation, race, creed, color, marital status, familial
7 status, mental or physical disability, religion, or
8 national origin are inherently superior or inferior to
9 people of another age, sex, gender identity, sexual
10 orientation, race, creed, color, marital status, familial
11 status, mental or physical disability, religion, or
12 national origin;

13 (2) an individual should be discriminated against or
14 receive adverse treatment solely or partly because of the
15 individual's age, sex, gender identity, sexual
16 orientation, race, creed, color, marital status, familial
17 status, mental or physical disability, religion, or
18 national origin; or

19 (3) people of one age, sex, gender identity, sexual
20 orientation, race, creed, color, marital status, familial
21 status, mental or physical disability, religion, or
22 national origin cannot and should not attempt to treat
23 others equally and without regard to age, sex, gender
24 identity, sexual orientation, race, creed, color, marital
25 status, familial status, mental or physical disability,
26 religion, or national origin.

1 (b) Nothing in this Section may be construed to prohibit
2 the discussion of ideas and history of the concepts described
3 in subsection (a) or may be construed to prohibit the
4 discussion of public policy issues of the day or ideas that
5 individuals may find unwelcome, disagreeable, or offensive.

6 (c) No public school entity, professional employee,
7 contractor, or public school student may face a penalty or
8 adverse treatment due to a refusal to engage in any of the
9 concepts listed in subparagraph (1), (2), or (3) of subsection
10 (a).

11 (d) No public school entity may use funds from any source
12 to engage in any of the concepts listed in subparagraph (1),
13 (2), or (3) of subsection (a).

14 (e) The Board shall develop and make available to
15 professional employees technical assistance, guidance, and
16 professional development in accordance with all of the
17 following:

18 (1) For education to create citizens capable of
19 self-government, students need to engage with a variety of
20 viewpoints on challenging issues, led by a professional
21 employee who understands that there is greater value in
22 promoting independent thinking than in advancing the
23 employee's own beliefs.

24 (2) A professional employee should be prepared to
25 engage students in academic discussions about all topics,
26 so long as the employee imparts vital knowledge and skills

1 without imposing the employee's own beliefs.

2 (3) A professional employee should be prepared to
3 address challenging issues in the classroom, not avoid
4 them.

5 (4) A professional employee should be prepared to help
6 students become discerning consumers of information, to
7 evaluate and analyze information, to question and verify
8 the credibility of the information's sources, and to make
9 reasoned judgments supported by evidence.

10 Section 15. Requirements for contractors.

11 (a) A contract entered into by a public school entity with
12 a contractor after the effective date of this Act shall
13 include the following statement:

14 "During the performance of this contract, the
15 contractor may not engage in workplace training of a
16 professional employee that includes any of the concepts
17 listed in Section 10 of the Communications and Actions in
18 Public Schools Act."

19 (b) A contractor shall include in a subcontract the
20 statement under subsection (a) of this Section as a
21 contractual duty imposed on the subcontractor.

22 Section 20. Enforcement.

23 (a) For violations of Section 10 of this Act, all of the
24 following shall apply:

1 (1) A parent, student, professional employee, or other
2 person interacting with a public school entity may file a
3 complaint with the school board of the school district
4 alleging a violation by a professional employee or
5 contractor.

6 (2) If a violation is established involving a
7 professional employee, the public school entity involved,
8 as well as any involved professional employee, shall
9 engage in professional development in compliance with
10 Section 10 of this Act. The parents or guardians of
11 students impacted by the violation shall receive notice
12 and a copy of the decision and action to be taken, which
13 notice shall be provided by registered mail. The public
14 school entity shall report the violation to the Board.

15 (3) If a violation is established involving a
16 contractor, the contract may be cancelled, terminated, or
17 suspended, in whole or in part, and the contractor may be
18 declared ineligible for further contracts for a period of
19 one year. The parents or guardians of students impacted by
20 the violation shall receive notice and a copy of the
21 decision and actions to be taken, which notice shall be
22 provided by registered mail.

23 (b) The Board shall develop a policy on how a complaint
24 under subsection (a) may be filed. The policy shall be made
25 available on the Board's Internet website.

1 Section 90. Rules. The Board may adopt rules to implement
2 this Act.