



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB0140

Introduced 1/18/2011, by Rep. LaShawn K. Ford

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.153 new

105 ILCS 5/10-20.14

105 ILCS 5/34-19

from Ch. 122, par. 10-20.14

from Ch. 122, par. 34-19

Amends the School Code. Requires the State Board of Education to establish a standard student expulsion policy that applies to each school district in this State. Requires a district's pupil discipline policy to conform to the standard student expulsion policy. Requires a school board to furnish a copy of the district's pupil discipline policy to the parents or guardian of each pupil within 15 days after the beginning of the school year or within 15 days after starting classes for a pupil who transfers into the district during the school year and to require that each school inform its pupils of the contents of its policy (now permissive with respect to school boards other than the Chicago Board of Education).

LRB097 05194 NHT 45243 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 5. The School Code is amended by adding Section
5 2-3.153 and by changing Sections 10-20.14 and 34-19 as follows:

6 (105 ILCS 5/2-3.153 new)

7 Sec. 2-3.153. Standard student expulsion policy. The State
8 Board of Education shall establish a standard student expulsion
9 policy that applies to each school district in this State.

10 (105 ILCS 5/10-20.14) (from Ch. 122, par. 10-20.14)

11 Sec. 10-20.14. Student discipline policies; Parent-teacher
12 advisory committee.

13 (a) To establish and maintain a parent-teacher advisory
14 committee to develop with the school board policy guidelines on
15 pupil discipline, including school searches. With respect to
16 expulsions, the policy must conform to the standard student
17 expulsion policy established by the State Board of Education
18 under Section 2-3.153 of this Code. A school board must, ~~to~~
19 furnish a copy of the pupil discipline policy to the parents or
20 guardian of each pupil within 15 days after the beginning of
21 the school year, or within 15 days after starting classes for a
22 pupil who transfers into the district during the school year,

1 and ~~to~~ require that each school inform ~~informs~~ its pupils of
2 the contents of its policy. School boards, along with the
3 parent-teacher advisory committee, are encouraged to annually
4 review their pupil discipline policies, the implementation of
5 those policies, and any other factors related to the safety of
6 their schools, pupils, and staff.

7 (b) The parent-teacher advisory committee in cooperation
8 with local law enforcement agencies shall develop, with the
9 school board, policy guideline procedures to establish and
10 maintain a reciprocal reporting system between the school
11 district and local law enforcement agencies regarding criminal
12 offenses committed by students.

13 (c) The parent-teacher advisory committee, in cooperation
14 with school bus personnel, shall develop, with the school
15 board, policy guideline procedures to establish and maintain
16 school bus safety procedures. These procedures shall be
17 incorporated into the district's pupil discipline policy.

18 (d) The school board, in consultation with the
19 parent-teacher advisory committee and other community-based
20 organizations, must include provisions in the student
21 discipline policy to address students who have demonstrated
22 behaviors that put them at risk for aggressive behavior,
23 including without limitation bullying, as defined in the
24 policy. These provisions must include procedures for notifying
25 parents or legal guardians and early intervention procedures
26 based upon available community-based and district resources.

1 (Source: P.A. 91-272, eff. 1-1-00; 92-260, eff. 1-1-02.)

2 (105 ILCS 5/34-19) (from Ch. 122, par. 34-19)

3 Sec. 34-19. By-laws, rules and regulations; business
4 transacted at regular meetings; voting; records. The board
5 shall, subject to the limitations in this Article, establish
6 by-laws, rules and regulations, which shall have the force of
7 ordinances, for the proper maintenance of a uniform system of
8 discipline for both employees and pupils, and for the entire
9 management of the schools, and may fix the school age of
10 pupils, the minimum of which in kindergartens shall not be
11 under 4 years, except that, based upon an assessment of the
12 child's readiness, children who have attended a non-public
13 preschool and continued their education at that school through
14 kindergarten, were taught in kindergarten by an appropriately
15 certified teacher, and will attain the age of 6 years on or
16 before December 31 of the year of the 2009-2010 school term and
17 each school term thereafter may attend first grade upon
18 commencement of such term, and in grade schools shall not be
19 under 6 years. It may expel, suspend or, subject to the
20 limitations of all policies established or adopted under
21 Section 14-8.05, otherwise discipline any pupil found guilty of
22 gross disobedience, misconduct or other violation of the
23 by-laws, rules and regulations. With respect to expulsions, the
24 district's pupil discipline policy must conform to the standard
25 student expulsion policy established by the State Board of

1 Education under Section 2-3.153 of this Code. The board must
2 furnish a copy of the district's pupil discipline policy to the
3 parents or guardian of each pupil within 15 days after the
4 beginning of the school year or within 15 days after starting
5 classes for a pupil who transfers into the district during the
6 school year and require that each school inform its pupils of
7 the contents of its policy. The bylaws, rules and regulations
8 of the board shall be enacted, money shall be appropriated or
9 expended, salaries shall be fixed or changed, and textbooks,
10 electronic textbooks, and courses of instruction shall be
11 adopted or changed only at the regular meetings of the board
12 and by a vote of a majority of the full membership of the
13 board; provided that notwithstanding any other provision of
14 this Article or the School Code, neither the board or any local
15 school council may purchase any textbook for use in any public
16 school of the district from any textbook publisher that fails
17 to furnish any computer diskettes as required under Section
18 28-21. Funds appropriated for textbook purchases must be
19 available for electronic textbook purchases and the
20 technological equipment necessary to gain access to and use
21 electronic textbooks at the local school council's discretion.
22 The board shall be further encouraged to provide opportunities
23 for public hearing and testimony before the adoption of bylaws,
24 rules and regulations. Upon all propositions requiring for
25 their adoption at least a majority of all the members of the
26 board the yeas and nays shall be taken and reported. The

1 by-laws, rules and regulations of the board shall not be
2 repealed, amended or added to, except by a vote of 2/3 of the
3 full membership of the board. The board shall keep a record of
4 all its proceedings. Such records and all by-laws, rules and
5 regulations, or parts thereof, may be proved by a copy thereof
6 certified to be such by the secretary of the board, but if they
7 are printed in book or pamphlet form which are purported to be
8 published by authority of the board they need not be otherwise
9 published and the book or pamphlet shall be received as
10 evidence, without further proof, of the records, by-laws, rules
11 and regulations, or any part thereof, as of the dates thereof
12 as shown in such book or pamphlet, in all courts and places
13 where judicial proceedings are had.

14 Notwithstanding any other provision in this Article or in
15 the School Code, the board may delegate to the general
16 superintendent or to the attorney the authorities granted to
17 the board in the School Code, provided such delegation and
18 appropriate oversight procedures are made pursuant to board
19 by-laws, rules and regulations, adopted as herein provided,
20 except that the board may not delegate its authorities and
21 responsibilities regarding (1) budget approval obligations;
22 (2) rule-making functions; (3) desegregation obligations; (4)
23 real estate acquisition, sale or lease in excess of 10 years as
24 provided in Section 34-21; (5) the levy of taxes; or (6) any
25 mandates imposed upon the board by "An Act in relation to
26 school reform in cities over 500,000, amending Acts herein

1 named", approved December 12, 1988 (P.A. 85-1418).

2 (Source: P.A. 96-864, eff. 1-21-10; 96-1403, eff. 7-29-10.)