



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2880

by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.157 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 the posting of a district's pupil discipline policy on the district's Internet website or otherwise furnishing a copy to parents and guardians if a district does not have an Internet website, and requires that each school inform its pupils of the contents of its policy.

LRB098 06296 NHT 37866 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 2-3.157 and by changing Sections 10-20.14 and 34-19 as follows:

6 (105 ILCS 5/2-3.157 new)

7 Sec. 2-3.157. 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 2-3.157 of this Code. A school board must (i)
19 post the pupil discipline policy on the school district's
20 Internet website, if any, within 15 days after the beginning of
21 the school year or, if the district does not have an Internet
22 website, to furnish a copy of the pupil discipline policy to

1 the parents or guardian of each pupil within 15 days after the
2 beginning of the school year, or within 15 days after starting
3 classes for a pupil who transfers into the district during the
4 school year, and (ii) ~~to~~ require that each school inform
5 ~~informs~~ its pupils of the contents of its policy. School
6 boards, along with the parent-teacher advisory committee, are
7 encouraged to annually review their pupil discipline policies,
8 the implementation of those policies, and any other factors
9 related to the safety of their schools, pupils, and staff.

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

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

21 (d) The school board, in consultation with the
22 parent-teacher advisory committee and other community-based
23 organizations, must include provisions in the student
24 discipline policy to address students who have demonstrated
25 behaviors that put them at risk for aggressive behavior,
26 including without limitation bullying, as defined in the

1 policy. These provisions must include procedures for notifying
2 parents or legal guardians and early intervention procedures
3 based upon available community-based and district resources.

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

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

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

1 by-laws, rules and regulations, including gross disobedience
2 or misconduct perpetuated by electronic means. An expelled
3 pupil may be immediately transferred to an alternative program
4 in the manner provided in Article 13A or 13B of this Code. A
5 pupil must not be denied transfer because of the expulsion,
6 except in cases in which such transfer is deemed to cause a
7 threat to the safety of students or staff in the alternative
8 program. A pupil who is suspended in excess of 20 school days
9 may be immediately transferred to an alternative program in the
10 manner provided in Article 13A or 13B of this Code. A pupil
11 must not be denied transfer because of the suspension, except
12 in cases in which such transfer is deemed to cause a threat to
13 the safety of students or staff in the alternative program.
14 With respect to expulsions, the district's pupil discipline
15 policy must conform to the standard student expulsion policy
16 established by the State Board of Education under Section
17 2-3.157 of this Code. The board must post the district's pupil
18 discipline policy on the district's Internet website within 15
19 days after the beginning of the school year and require that
20 each school inform its pupils of the contents of its policy.
21 The bylaws, rules and regulations of the board shall be
22 enacted, money shall be appropriated or expended, salaries
23 shall be fixed or changed, and textbooks, electronic textbooks,
24 and courses of instruction shall be adopted or changed only at
25 the regular meetings of the board and by a vote of a majority
26 of the full membership of the board; provided that

1 notwithstanding any other provision of this Article or the
2 School Code, neither the board or any local school council may
3 purchase any textbook for use in any public school of the
4 district from any textbook publisher that fails to furnish any
5 computer diskettes as required under Section 28-21. Funds
6 appropriated for textbook purchases must be available for
7 electronic textbook purchases and the technological equipment
8 necessary to gain access to and use electronic textbooks at the
9 local school council's discretion. The board shall be further
10 encouraged to provide opportunities for public hearing and
11 testimony before the adoption of bylaws, rules and regulations.
12 Upon all propositions requiring for their adoption at least a
13 majority of all the members of the board the yeas and nays
14 shall be taken and reported. The by-laws, rules and regulations
15 of the board shall not be repealed, amended or added to, except
16 by a vote of 2/3 of the full membership of the board. The board
17 shall keep a record of all its proceedings. Such records and
18 all by-laws, rules and regulations, or parts thereof, may be
19 proved by a copy thereof certified to be such by the secretary
20 of the board, but if they are printed in book or pamphlet form
21 which are purported to be published by authority of the board
22 they need not be otherwise published and the book or pamphlet
23 shall be received as evidence, without further proof, of the
24 records, by-laws, rules and regulations, or any part thereof,
25 as of the dates thereof as shown in such book or pamphlet, in
26 all courts and places where judicial proceedings are had.

1 Notwithstanding any other provision in this Article or in
2 the School Code, the board may delegate to the general
3 superintendent or to the attorney the authorities granted to
4 the board in the School Code, provided such delegation and
5 appropriate oversight procedures are made pursuant to board
6 by-laws, rules and regulations, adopted as herein provided,
7 except that the board may not delegate its authorities and
8 responsibilities regarding (1) budget approval obligations;
9 (2) rule-making functions; (3) desegregation obligations; (4)
10 real estate acquisition, sale or lease in excess of 10 years as
11 provided in Section 34-21; (5) the levy of taxes; or (6) any
12 mandates imposed upon the board by "An Act in relation to
13 school reform in cities over 500,000, amending Acts herein
14 named", approved December 12, 1988 (P.A. 85-1418).

15 (Source: P.A. 96-864, eff. 1-21-10; 96-1403, eff. 7-29-10;
16 97-340, eff. 1-1-12; 97-495, eff. 1-1-12; 97-813, eff.
17 7-13-12.)