



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1940

Introduced 2/15/2019, by Sen. Kimberly A. Lightford

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.162

Amends the School Code. With regard to the student discipline report, provides that the report must include data on the total number of school days missed by a student due to an out-of-school suspension or expulsion and data on the number of law enforcement officers assigned to schools within each school district and the number of arrests made by law enforcement officers of students on school grounds, in school vehicles, at school activities or school-sanctioned events, or as a result of referrals by school officials. Provides that the report must be disaggregated by whether a student qualifies for services under the federal Individuals with Disabilities Education Act, the total amount of school days missed by the student, and the incident type that caused the suspension or expulsion. Provides that, in compiling the report, the State Board of Education must use the same disclosure avoidance standards used by the United States Department of Education in its public reporting of data submitted by each school district as part of the Civil Rights Data Collection and must also ensure that cross-tabulation by the various categories of disaggregation is possible. Makes other changes.

LRB101 09905 AXK 55007 b

FISCAL NOTE ACT
MAY APPLY

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 Code is amended by changing Section
5 2-3.162 as follows:

6 (105 ILCS 5/2-3.162)

7 Sec. 2-3.162. Student discipline report; school discipline
8 improvement plan.

9 (a) On or before October 31, 2015 and on or before October
10 31 of each subsequent year, the State Board of Education,
11 through the State Superintendent of Education, shall prepare a
12 report on student discipline in all school districts in this
13 State, including State-authorized charter schools. This report
14 shall include data from all public schools within school
15 districts, including district-authorized charter schools. This
16 report must be posted on the Internet website of the State
17 Board of Education. The report shall include data on the
18 issuance of out-of-school suspensions, expulsions, and
19 removals to alternative settings in lieu of another
20 disciplinary action and the total number of school days missed
21 by a student due to an out-of-school suspension or expulsion,
22 disaggregated by race and ethnicity, gender, age, individual
23 grade level, whether a student is an English learner, whether a

1 student qualifies for services under the federal Individuals
2 with Disabilities Education Act, incident type, and discipline
3 duration. The report shall also include data on the number of
4 law enforcement officers assigned to schools within each school
5 district and the number of arrests made by law enforcement
6 officers of students on school grounds, in school vehicles, at
7 school activities or school-sanctioned events, or as a result
8 of referrals by school officials, disaggregated by race and
9 ethnicity, gender, age, individual grade level, whether a
10 student is an English learner, whether a student qualifies for
11 services under the federal Individuals with Disabilities
12 Education Act, the offense for which the student was arrested,
13 and the final disposition of the arrest.

14 In compiling the report under this subsection, the State
15 Board of Education must also disaggregate the data by the total
16 number of school days missed by a student as follows: by less
17 than or equal to one day, 2 days, 3 days, 4 days, 5 days, 6
18 days, 7 days, 8 days, 9 days, 10 days, 11 through 30 days, 31
19 through 60 days, 61 through 120 days, 121 through 180 days, 181
20 through 240 days, 241 through 300 days, 301 through 360 days,
21 and more than 360 days.

22 In compiling the report under this subsection, the State
23 Board of Education must also disaggregate the data by all of
24 the following incident types:

25 (1) Disruption, disrespect, or defiance of authority.

26 (2) Truancy, tardiness, or class-cutting.

- 1 (3) Alcohol.
- 2 (4) Threats.
- 3 (5) Fighting.
- 4 (6) Other violent offenses.
- 5 (7) Bullying or harassment.
- 6 (8) Dress code violation.
- 7 (9) Drugs or controlled substances.
- 8 (10) Theft.
- 9 (11) Property damage.
- 10 (12) Tobacco.
- 11 (13) Dangerous weapon - firearm.
- 12 (14) Dangerous weapon - other.
- 13 (15) Trespassing.
- 14 (16) Other.

15 (a-5) In compiling the report under subsection (a), the
16 State Board of Education must use the same disclosure avoidance
17 standards used by the United States Department of Education in
18 its public reporting of data submitted by each school district
19 as part of the Civil Rights Data Collection. The State Board
20 must also ensure that cross-tabulation by the various
21 categories of disaggregation is possible.

22 (b) The State Board of Education shall analyze the data
23 under subsection (a) of this Section on an annual basis and
24 determine the top 20% of school districts for the following
25 metrics:

26 (1) Total number of out-of-school suspensions divided

1 by the total district enrollment by the last school day in
2 September for the year in which the data was collected,
3 multiplied by 100.

4 (2) Total number of out-of-school expulsions divided
5 by the total district enrollment by the last school day in
6 September for the year in which the data was collected,
7 multiplied by 100.

8 (2.5) Total number of school-based arrests divided by
9 the total district enrollment by the last school day in
10 September for the year in which the data was collected,
11 multiplied by 100.

12 (3) Racial disproportionality, defined as the
13 overrepresentation of students of color or white students
14 in comparison to the total number of students of color or
15 white students on October 1st of the school year in which
16 data are collected, with respect to the use of
17 out-of-school suspensions and expulsions, which must be
18 calculated using the same method as the U.S. Department of
19 Education's Office for Civil Rights uses.

20 The analysis must be based on data collected over 3
21 consecutive school years, beginning with the 2014-2015 school
22 year.

23 Beginning with the 2017-2018 school year, the State Board
24 of Education shall require each of the school districts that
25 are identified in the top 20% of any of the metrics described
26 in this subsection (b) for 3 consecutive years to submit a plan

1 identifying the strategies the school district will implement
2 to reduce the use of exclusionary disciplinary practices,
3 school-based arrests, or racial disproportionality ~~or both~~, if
4 applicable. School districts that no longer meet the criteria
5 described in any of the metrics described in this subsection
6 (b) for 3 consecutive years shall no longer be required to
7 submit a plan.

8 This plan may be combined with any other improvement plans
9 required under federal or State law.

10 The calculation of the top 20% of any of the metrics
11 described in this subsection (b) shall exclude all school
12 districts, State-authorized charter schools, and special
13 charter districts that issued fewer than a total of 10
14 out-of-school suspensions or expulsions or school-based
15 arrests, whichever is applicable, during the school year. The
16 calculation of the top 20% of the metric described in
17 subdivision (3) of this subsection (b) shall exclude all school
18 districts with an enrollment of fewer than 50 white students or
19 fewer than 50 students of color.

20 The plan must be approved at a public school board meeting
21 and posted on the school district's Internet website. Within
22 one year after being identified, the school district shall
23 submit to the State Board of Education and post on the
24 district's Internet website a progress report describing the
25 implementation of the plan and the results achieved.

26 (Source: P.A. 99-30, eff. 7-10-15; 99-78, eff. 7-20-15;

SB1940

- 6 -

LRB101 09905 AXK 55007 b

1 100-863, eff. 8-14-18.)