



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB0449

Introduced 2/4/2009, by Rep. LaShawn K. Ford

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.148 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).

LRB096 07459 NHT 17551 b

FISCAL NOTE ACT  
MAY APPLY

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 5. The School Code is amended by adding Section  
5 2-3.148 and by changing Sections 10-20.14 and 34-19 as follows:

6 (105 ILCS 5/2-3.148 new)

7 Sec. 2-3.148. 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 2-3.148 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 and in grade schools shall not be under 6 years.  
12 It may expel, suspend or, subject to the limitations of all  
13 policies established or adopted under Section 14-8.05,  
14 otherwise discipline any pupil found guilty of gross  
15 disobedience, misconduct or other violation of the by-laws,  
16 rules and regulations. With respect to expulsions, the  
17 district's pupil discipline policy must conform to the standard  
18 student expulsion policy established by the State Board of  
19 Education under Section 2-3.148 of this Code. The board must  
20 furnish a copy of the district's pupil discipline policy to the  
21 parents or guardian of each pupil within 15 days after the  
22 beginning of the school year or within 15 days after starting  
23 classes for a pupil who transfers into the district during the  
24 school year and require that each school inform its pupils of  
25 the contents of its policy. The bylaws, rules and regulations

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

1 all courts and places where judicial proceedings are had.

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

16 (Source: P.A. 88-45; 89-15, eff. 5-30-95.)