AMENDMENT TO HOUSE BILL 2084

AMENDMENT NO. ______. Amend House Bill 2084 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 2-3.162 as follows:

(105 ILCS 5/2-3.162)
Sec. 2-3.162. Student discipline report; school discipline improvement plan.
(a) On or before October 31, 2015 and on or before October 31 of each subsequent year, the State Board of Education, through the State Superintendent of Education, shall prepare a report on student discipline in all school districts in this State, including State-authorized charter schools. This report shall include data from all public schools within school districts, including district-authorized charter schools. This report must be posted on the Internet website of the State..."
Board of Education. The report shall include data on the issuance of out-of-school suspensions, expulsions, and removals to alternative settings in lieu of another disciplinary action and the total number of school days missed by a student due to an out-of-school suspension or expulsion, disaggregated by race and ethnicity, gender, age, individual grade level, whether a student is an English learner, whether a student qualifies for services under the federal Individuals with Disabilities Education Act, incident type, and discipline duration. The report shall also include data on 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, disaggregated by race and ethnicity, gender, age, individual grade level, whether a student is an English learner, whether a student qualifies for services under the federal Individuals with Disabilities Education Act, the offense for which the student was arrested, and the final disposition of the arrest.

In compiling the report under this subsection, the State Board of Education must also disaggregate the data by the total number of school days missed by a student as follows: by less than or equal to one day, 2 days, 3 days, 4 days, 5 days, 6 days, 7 days, 8 days, 9 days, 10 days, 11 through 30 days, 31 through 60 days, 61 through 90 days, and 91 through 180 days.

In compiling the report under this subsection, the State
Board of Education must also disaggregate the data on suspensions, expulsions, and removals to alternative settings by all of the following incident types:

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

In compiling the report under this subsection, the State Board of Education must also disaggregate the data on the issuance of school-based arrests by the criminal offense for which the student was arrested.

(a-5) In compiling the report under subsection (a), 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. The State Board
must also ensure that cross-tabulation by the various
categories of disaggregation is possible.

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

(1) Total number of out-of-school suspensions divided
by the total district enrollment by the last school day in
September for the year in which the data was collected,
multiplied by 100.

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

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

(3) Racial disproportionality, defined as the
overrepresentation of students of color or white students
in comparison to the total number of students of color or
white students on October 1st of the school year in which
data are collected, with respect to the use of
out-of-school suspensions and expulsions, which must be
calculated using the same method as the U.S. Department of
Education's Office for Civil Rights uses.
The analysis must be based on data collected over 3
consecutive school years, beginning with the 2014-2015 school
year.

Beginning with the 2017-2018 school year, the State Board
of Education shall require each of the school districts that
are identified in the top 20% of any of the metrics described
in this subsection (b) for 3 consecutive years to submit a plan
identifying the strategies the school district will implement
to reduce the use of exclusionary disciplinary practices,
school-based arrests, or racial disproportionality or both, if
applicable. School districts that no longer meet the criteria
described in any of the metrics described in this subsection
(b) for 3 consecutive years shall no longer be required to
submit a plan.

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

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

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

(Source: P.A. 99-30, eff. 7-10-15; 99-78, eff. 7-20-15;
100-863, eff. 8-14-18)."