ACTION ALERT: Call your State Senators to Oppose SB 3004 (Lightford)

Statewide School Management Alliance

Legislation proposed in the Illinois General Assembly would severely limit the ability of school districts to issue out of school suspensions and expulsions. We believe districts must retain the ability to deter harmful behavior and ensure that students and staff are safe at school. It also includes new mandates and program requirement for districts.

School management organizations have worked with the proponents of the bill for months to reach consensus. While we agree on some issues, numerous concerns remain and we are unable to support the language in the amended legislation. We have offered several suggestions to meet the goals of the proponents; however, they have rejected our ideas and intend to move forward with SB 3004 Amendment #2, detailed below.

Concern: Currently, school boards and administrators make suspension and expulsion decisions based on the seriousness of the offense, the impact of the student’s behavior on the safety to students and staff, the student’s history of behavior issues, and the impact of the punishment on the student. Districts must retain discretion in suspension and expulsion decisions to ensure the safety of students and staff. Board members and educators take responsibility for their discipline decisions and work to keep students in school or in an alternative program where they will be successful.

In the proposed legislation, districts would only be able to issue out-of-school suspensions for more than three days if the following criteria are met:

- A student has committed an act of gross disobedience or misconduct (no longer specifically includes by electronic means) and
- A student’s continuing presence in school would pose an ongoing threat to the physical safety of other students and staff and
- Districts have exhausted all other appropriate behavioral and disciplinary interventions

The criteria for expulsion decisions would use the same threshold with the addition of limiting expulsions to acts involving distribution of illegal drugs or controlled substances to other students, weapons or other destructive devices, sexual assault, the use of physical violence against another student or staff member resulting in physical injury, or knowingly putting another student or staff member at risk of serious bodily injury or death.

Concern: The legislation bases suspension and expulsion decisions on threats to physical safety and fails to recognize the importance of deterring threats to the psychological and emotional well being of students and staff.

- Districts will be limited in responding to persistent or severe bullying or harassment committed in person or via electronic means that do not result in a victim’s physical injury.
- This sends mixed messages about the seriousness of eradicating bullying by significantly reducing the ability of schools to remove students who bully from the school environment.
Concern: Under the legislation, students suspended from the bus, issued an out-of-school suspension, or expelled without an alternative program must receive educational services to promote their successful return to school including:

- Each student must be provided a full opportunity to earn equivalent credit during the suspension or expulsion period.
- Work shall be graded without penalty by their teachers on a weekly basis and returned to them.
- Schools must designate a school staff person to serve as the liaison between the student and all relevant teachers and ensure the above requirements are met.

This provision is extremely burdensome for schools and may require the hiring or additional compensation of staff to manage these provisions in a time of budget crisis where schools have little additional resources and staff is already serving in multiple roles.

Please contact your State Senators to communicate your opposition to the legislation.

- This bill does not allow a school to expel students who engage in repeated bullying and other non-physical but threatening behaviors until after someone is physically injured.
- This legislation includes unfunded mandates and burdensome requirements for schools. The bill requires schools to provide daily assignments, weekly grading of assignments without penalty, and behavioral support services to students who receive an out-of-school suspension or expulsion.
- The legislation requires disciplinary interventions to be exhausted before expulsions take place. This does provision does not recognize that districts may be unable to provide a disciplinary intervention outside of removing the student from the situation. This is particularly true for offenses including distribution of drugs, bringing a weapon to school, or assaulting a teacher or student.
- Ultimately, this legislation discredits school leaders’ abilities to find the appropriate balance between the safety of other children and student discipline.