

SB 2914: Student Safety Concerns Are NOT Excluded From This Proposal

Proponents continue to claim that misconduct involving student safety is excluded from SB 2914. That is simply not what the bill says, nor is it how these cases are treated in practice under Illinois law.

Many serious forms of student-related misconduct are still legally considered “remediable” unless substantial harm can already be proven. In practice, hearing officers and courts frequently require districts to issue a Notice to Remedy before dismissal may proceed in cases involving inappropriate staff-student boundaries, concerning electronic communications with students, repeated unprofessional interactions, and escalating patterns of concerning conduct.

As drafted, SB 2914 expressly permits those Notices to Remedy to proceed to binding arbitration. The bill contains no explicit exclusion for student-related misconduct deemed legally remediable, nor does it place any parameters around what an arbitrator is at liberty to decide.

Importantly, a recent survey of Illinois school attorneys revealed that more than two-thirds of the Notices to Remedy issued over the last five years involved concerns related to student safety or student well-being — including physical, emotional, and psychological concerns impacting students. Claims that student-related conduct falls outside the scope of this legislation are simply inaccurate.

School leaders across Illinois are increasingly confronting situations concerning staff-student interactions that may not yet constitute criminal misconduct, but nonetheless require early intervention before more serious harm occurs. Existing law already provides tenured educators with due process protections and opportunities to challenge dismissal proceedings that other classifications of employees do not have. SB 2914 inserts an additional layer of binding arbitration into matters involving professional judgment, student-related concerns, and local school management.

Our organizations attempted in good faith to negotiate amendments addressing these concerns and preserving schools’ ability to respond quickly to student-related misconduct. Unfortunately, meaningful negotiations have not occurred for more than two months.

At a time when legislators are being asked to address some of the most significant challenges facing Illinois schools, we do not believe the General Assembly should be placed in the middle of a labor-management dispute over local personnel decisions that are already governed by extensive due process protections under current law.

School boards, administrators, and principals are locally accountable and entrusted with protecting students, maintaining professional standards, and responding quickly when concerning conduct arises. We urge legislators to oppose SB 2914 until meaningful amendments are adopted that balance student safety with a fair process for employees.

