

## 104TH GENERAL ASSEMBLY

### State of Illinois

### 2025 and 2026

#### HB2502

Introduced 2/4/2025, by Rep. La Shawn K. Ford

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.206 new	
105 ILCS 5/10-20.14	from Ch. 122, par. 10-20.14
105 ILCS 5/10-22.6	from Ch. 122, par. 10-22.6
105 ILCS 5/26-12	from Ch. 122, par. 26-12

Amends the School Code. Provides that the State Board of Education shall require that each school district annually report the number of students who were referred to a law enforcement agency or official and the number of instances of referrals to law enforcement that students received. Provides that on or before January 31, 2027 and on or before January 31 of each subsequent year, the State Board of Education shall prepare a report on student referrals to law enforcement in all school districts in the State. Requires a parent-teacher advisory committee to develop policy guideline procedures to establish and maintain a reciprocal reporting system between the school district and local law enforcement agencies regarding both criminal and civil offenses (rather than only criminal offenses) committed by students. Removes language providing that a student may not be issued a monetary fine or fee as a disciplinary consequence. Instead, prohibits school personnel from issuing a monetary fine, fee, ticket, or citation for a municipal code violation. Provides that school personnel (rather than a school district) may not refer a truant, chronic truant, or truant minor to any other local public entity, school resource officer, or peace officer (rather than only to any other local public entity) for that local public entity, school resource officer, or peace officer to issue the child a fine or fee as punishment for truancy. Effective immediately.

LRB104 06246 LNS 16281 b

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 1. Findings and intent.

5 (a) The General Assembly finds the following:

6 (1) Public Act 99-456 prohibited schools from issuing  
7 monetary fines or fees as a disciplinary consequence.

8 (2) Public Act 100-810 prohibited schools from  
9 referring truant minors to local public entities for the  
10 purpose of issuing fines or fees as punishment for truancy  
11 and required schools to document the provision of all  
12 appropriate and available supportive services before  
13 referring an individual having custody of a truant minor  
14 to a local public entity.

15 (3) Thousands of students have been referred to  
16 municipalities for behaviors occurring on school grounds,  
17 during school-related events, or while taking school  
18 transportation.

19 (4) Municipal tickets, citations, and ordinance  
20 violations disproportionately impact students of color and  
21 students with disabilities.

22 (5) Municipal fines and fees associated with municipal  
23 tickets, citations, and ordinance violations create  
24 financial hardship for minors and their families.

1           (6) Municipal proceedings do not provide minors with  
2           sufficient due process, confidentiality, or record  
3           expungement protections.

4           (7) In accordance with federal law and regulations,  
5           Illinois schools provide data to the Civil Rights Data  
6           Collection required by the Office for Civil Rights of the  
7           U.S. Department of Education, including data on referrals  
8           to law enforcement, and which disaggregates referrals  
9           resulting in arrests, but does not disaggregate referrals  
10          resulting in a municipal ticket, citation, or ordinance  
11          violation.

12          (b) It is the intent of the General Assembly to learn more  
13          about the prevalence of student referrals to law enforcement,  
14          particularly those resulting in municipal tickets, citations,  
15          and ordinance violations for behaviors occurring on school  
16          grounds, during school-related events, or while taking school  
17          transportation. It is not the intent of the General Assembly  
18          to modify current school disciplinary responses provided in  
19          the School Code or responses to alleged delinquent or criminal  
20          conduct as set forth in the School Code, the Juvenile Court Act  
21          of 1987, or the Criminal Code of 2012.

22          Section 5. The School Code is amended by adding Section  
23          2-3.206 and by changing Sections 10-20.14, 10-22.6, and 26-12  
24          as follows:

1 (105 ILCS 5/2-3.206 new)

2 Sec. 2-3.206. Law enforcement referral report.

3 (a) As used in this Section, "referral to law enforcement"  
4 means an action by which a student is reported to a law  
5 enforcement agency or official, including a school police  
6 unit, for an incident that occurred on school grounds, during  
7 school-related events or activities (whether in-person or  
8 virtual), or while taking school transportation, regardless of  
9 whether official action is taken. "Referral to law  
10 enforcement" includes citations, tickets, court referrals, and  
11 school-related arrests.

12 (b) The State Board of Education shall require that each  
13 school district annually report, in a manner and method  
14 determined by the State Board, the number of students in  
15 kindergarten through grade 12 who were referred to a law  
16 enforcement agency or official and the number of instances of  
17 referrals to law enforcement that students in grades  
18 kindergarten through 12 received.

19 (c) The data reported under subsection (b) shall be  
20 disaggregated by the result of the referral, such as a  
21 citation, ticket, court referral, or school-related arrest,  
22 incident type, race and ethnicity, sex, age, grade level,  
23 whether a student is an English learner, and disability.

24 (d) On or before January 31, 2027 and on or before January  
25 31 of each subsequent year, the State Board of Education,  
26 through the State Superintendent of Education, shall prepare a

1 report on student referrals to law enforcement in all school  
2 districts in this State, including State-authorized charter  
3 schools. This report shall include data from all public  
4 schools within school districts, including district-authorized  
5 charter schools. This report must be posted on the Internet  
6 website of the State Board of Education. The report shall  
7 include data reported under subsection (b) and shall be  
8 disaggregated according to subsection (c).

9 (105 ILCS 5/10-20.14) (from Ch. 122, par. 10-20.14)

10 Sec. 10-20.14. Student discipline policies; parent-teacher  
11 advisory committee.

12 (a) To establish and maintain a parent-teacher advisory  
13 committee to develop with the school board or governing body  
14 of a charter school policy guidelines on student discipline,  
15 including school searches and bullying prevention as set forth  
16 in Section 27-23.7 of this Code. School authorities shall  
17 furnish a copy of the policy to the parents or guardian of each  
18 student within 15 days after the beginning of the school year,  
19 or within 15 days after starting classes for a student who  
20 transfers into the district during the school year, and the  
21 school board or governing body of a charter school shall  
22 require that a school inform its students of the contents of  
23 the policy. School boards and the governing bodies of charter  
24 schools, along with the parent-teacher advisory committee,  
25 must annually review their student discipline policies and the

1 implementation of those policies and any other factors related  
2 to the safety of their schools, students, and school  
3 personnel.

4 (a-5) On or before September 15, 2016, each elementary and  
5 secondary school and charter school shall, at a minimum, adopt  
6 student discipline policies that fulfill the requirements set  
7 forth in this Section, subsections (a) and (b) of Section  
8 10-22.6 of this Code, Section 34-19 of this Code if  
9 applicable, and federal and State laws that provide special  
10 requirements for the discipline of students with disabilities.

11 (b) The parent-teacher advisory committee in cooperation  
12 with local law enforcement agencies shall develop, with the  
13 school board, policy guideline procedures to establish and  
14 maintain a reciprocal reporting system between the school  
15 district and local law enforcement agencies regarding criminal  
16 and civil offenses committed by students. School districts are  
17 encouraged to create memoranda of understanding with local law  
18 enforcement agencies that clearly define law enforcement's  
19 role in schools, in accordance with Sections 2-3.206 and  
20 ~~Section~~ 10-22.6 of this Code. In consultation with  
21 stakeholders deemed appropriate by the State Board of  
22 Education, the State Board of Education shall draft and  
23 publish guidance for the development of reciprocal reporting  
24 systems in accordance with this Section on or before July 1,  
25 2025.

26 (c) The parent-teacher advisory committee, in cooperation

1 with school bus personnel, shall develop, with the school  
2 board, policy guideline procedures to establish and maintain  
3 school bus safety procedures. These procedures shall be  
4 incorporated into the district's student discipline policy. In  
5 consultation with stakeholders deemed appropriate by the State  
6 Board of Education, the State Board of Education shall draft  
7 and publish guidance for school bus safety procedures in  
8 accordance with this Section on or before July 1, 2025.

9 (d) As used in this subsection (d), "evidence-based  
10 intervention" means intervention that has demonstrated a  
11 statistically significant effect on improving student outcomes  
12 as documented in peer-reviewed scholarly journals.

13 The school board, in consultation with the parent-teacher  
14 advisory committee and other community-based organizations,  
15 must include provisions in the student discipline policy to  
16 address students who have demonstrated behaviors that put them  
17 at risk for aggressive behavior, including without limitation  
18 bullying, as defined in the policy. These provisions must  
19 include procedures for notifying parents or legal guardians  
20 and intervention procedures based upon available  
21 community-based and district resources.

22 In consultation with behavioral health experts, the State  
23 Board of Education shall draft and publish guidance for  
24 evidence-based intervention procedures, including examples, in  
25 accordance with this Section on or before July 1, 2025.

26 (Source: P.A. 103-896, eff. 8-9-24.)

1 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

2 (Text of Section before amendment by P.A. 102-466)

3 Sec. 10-22.6. Suspension or expulsion of students; school  
4 searches.

5 (a) To expel students guilty of gross disobedience or  
6 misconduct, including gross disobedience or misconduct  
7 perpetuated by electronic means, pursuant to subsection (b-20)  
8 of this Section, and no action shall lie against them for such  
9 expulsion. Expulsion shall take place only after the parents  
10 have been requested to appear at a meeting of the board, or  
11 with a hearing officer appointed by it, to discuss their  
12 child's behavior. Such request shall be made by registered or  
13 certified mail and shall state the time, place and purpose of  
14 the meeting. The board, or a hearing officer appointed by it,  
15 at such meeting shall state the reasons for dismissal and the  
16 date on which the expulsion is to become effective. If a  
17 hearing officer is appointed by the board, the hearing officer  
18 shall report to the board a written summary of the evidence  
19 heard at the meeting and the board may take such action thereon  
20 as it finds appropriate. If the board acts to expel a student,  
21 the written expulsion decision shall detail the specific  
22 reasons why removing the student from the learning environment  
23 is in the best interest of the school. The expulsion decision  
24 shall also include a rationale as to the specific duration of  
25 the expulsion. An expelled student may be immediately



1 transferred to an alternative program in the manner provided  
2 in Article 13A or 13B of this Code. A student must not be  
3 denied transfer because of the expulsion, except in cases in  
4 which such transfer is deemed to cause a threat to the safety  
5 of students or staff in the alternative program.

6 (b) To suspend or by policy to authorize the  
7 superintendent of the district or the principal, assistant  
8 principal, or dean of students of any school to suspend  
9 students guilty of gross disobedience or misconduct, or to  
10 suspend students guilty of gross disobedience or misconduct on  
11 the school bus from riding the school bus, pursuant to  
12 subsections (b-15) and (b-20) of this Section, and no action  
13 shall lie against them for such suspension. The board may by  
14 policy authorize the superintendent of the district or the  
15 principal, assistant principal, or dean of students of any  
16 school to suspend students guilty of such acts for a period not  
17 to exceed 10 school days. If a student is suspended due to  
18 gross disobedience or misconduct on a school bus, the board  
19 may suspend the student in excess of 10 school days for safety  
20 reasons.

21 Any suspension shall be reported immediately to the  
22 parents or guardian of a student along with a full statement of  
23 the reasons for such suspension and a notice of their right to  
24 a review. The school board must be given a summary of the  
25 notice, including the reason for the suspension and the  
26 suspension length. Upon request of the parents or guardian,

1 the school board or a hearing officer appointed by it shall  
2 review such action of the superintendent or principal,  
3 assistant principal, or dean of students. At such review, the  
4 parents or guardian of the student may appear and discuss the  
5 suspension with the board or its hearing officer. If a hearing  
6 officer is appointed by the board, he shall report to the board  
7 a written summary of the evidence heard at the meeting. After  
8 its hearing or upon receipt of the written report of its  
9 hearing officer, the board may take such action as it finds  
10 appropriate. If a student is suspended pursuant to this  
11 subsection (b), the board shall, in the written suspension  
12 decision, detail the specific act of gross disobedience or  
13 misconduct resulting in the decision to suspend. The  
14 suspension decision shall also include a rationale as to the  
15 specific duration of the suspension.

16 (b-5) Among the many possible disciplinary interventions  
17 and consequences available to school officials, school  
18 exclusions, such as out-of-school suspensions and expulsions,  
19 are the most serious. School officials shall limit the number  
20 and duration of expulsions and suspensions to the greatest  
21 extent practicable, and it is recommended that they use them  
22 only for legitimate educational purposes. To ensure that  
23 students are not excluded from school unnecessarily, it is  
24 recommended that school officials consider forms of  
25 non-exclusionary discipline prior to using out-of-school  
26 suspensions or expulsions.

1 (b-10) Unless otherwise required by federal law or this  
2 Code, school boards may not institute zero-tolerance policies  
3 by which school administrators are required to suspend or  
4 expel students for particular behaviors.

5 (b-15) Out-of-school suspensions of 3 days or less may be  
6 used only if the student's continuing presence in school would  
7 pose a threat to school safety or a disruption to other  
8 students' learning opportunities. For purposes of this  
9 subsection (b-15), "threat to school safety or a disruption to  
10 other students' learning opportunities" shall be determined on  
11 a case-by-case basis by the school board or its designee.  
12 School officials shall make all reasonable efforts to resolve  
13 such threats, address such disruptions, and minimize the  
14 length of suspensions to the greatest extent practicable.

15 (b-20) Unless otherwise required by this Code,  
16 out-of-school suspensions of longer than 3 days, expulsions,  
17 and disciplinary removals to alternative schools may be used  
18 only if other appropriate and available behavioral and  
19 disciplinary interventions have been exhausted and the  
20 student's continuing presence in school would either (i) pose  
21 a threat to the safety of other students, staff, or members of  
22 the school community or (ii) substantially disrupt, impede, or  
23 interfere with the operation of the school. For purposes of  
24 this subsection (b-20), "threat to the safety of other  
25 students, staff, or members of the school community" and  
26 "substantially disrupt, impede, or interfere with the

1 operation of the school" shall be determined on a case-by-case  
2 basis by school officials. For purposes of this subsection  
3 (b-20), the determination of whether "appropriate and  
4 available behavioral and disciplinary interventions have been  
5 exhausted" shall be made by school officials. School officials  
6 shall make all reasonable efforts to resolve such threats,  
7 address such disruptions, and minimize the length of student  
8 exclusions to the greatest extent practicable. Within the  
9 suspension decision described in subsection (b) of this  
10 Section or the expulsion decision described in subsection (a)  
11 of this Section, it shall be documented whether other  
12 interventions were attempted or whether it was determined that  
13 there were no other appropriate and available interventions.

14 (b-25) Students who are suspended out-of-school for longer  
15 than 3 school days shall be provided appropriate and available  
16 support services during the period of their suspension. For  
17 purposes of this subsection (b-25), "appropriate and available  
18 support services" shall be determined by school authorities.  
19 Within the suspension decision described in subsection (b) of  
20 this Section, it shall be documented whether such services are  
21 to be provided or whether it was determined that there are no  
22 such appropriate and available services.

23 A school district may refer students who are expelled to  
24 appropriate and available support services.

25 A school district shall create a policy to facilitate the  
26 re-engagement of students who are suspended out-of-school,

1 expelled, or returning from an alternative school setting. In  
2 consultation with stakeholders deemed appropriate by the State  
3 Board of Education, the State Board of Education shall draft  
4 and publish guidance for the re-engagement of students who are  
5 suspended out-of-school, expelled, or returning from an  
6 alternative school setting in accordance with this Section and  
7 Section 13A-4 on or before July 1, 2025.

8 (b-30) A school district shall create a policy by which  
9 suspended students, including those students suspended from  
10 the school bus who do not have alternate transportation to  
11 school, shall have the opportunity to make up work for  
12 equivalent academic credit. It shall be the responsibility of  
13 a student's parent or guardian to notify school officials that  
14 a student suspended from the school bus does not have  
15 alternate transportation to school.

16 (c) A school board must invite a representative from a  
17 local mental health agency to consult with the board at the  
18 meeting whenever there is evidence that mental illness may be  
19 the cause of a student's expulsion or suspension.

20 (c-5) School districts shall make reasonable efforts to  
21 provide ongoing professional development to all school  
22 personnel, school board members, and school resource officers,<sup>7</sup>  
23 on the requirements of this Section and Section 10-20.14, the  
24 adverse consequences of school exclusion and justice-system  
25 involvement, effective classroom management strategies,  
26 culturally responsive discipline, trauma-responsive learning

1 environments, as defined in subsection (b) of Section 3-11,  
2 the appropriate and available supportive services for the  
3 promotion of student attendance and engagement, and  
4 developmentally appropriate disciplinary methods that promote  
5 positive and healthy school climates.

6 (d) The board may expel a student for a definite period of  
7 time not to exceed 2 calendar years, as determined on a  
8 case-by-case basis. A student who is determined to have  
9 brought one of the following objects to school, any  
10 school-sponsored activity or event, or any activity or event  
11 that bears a reasonable relationship to school shall be  
12 expelled for a period of not less than one year:

13 (1) A firearm. For the purposes of this Section,  
14 "firearm" means any gun, rifle, shotgun, weapon as defined  
15 by Section 921 of Title 18 of the United States Code,  
16 firearm as defined in Section 1.1 of the Firearm Owners  
17 Identification Card Act, or firearm as defined in Section  
18 24-1 of the Criminal Code of 2012. The expulsion period  
19 under this subdivision (1) may be modified by the  
20 superintendent, and the superintendent's determination may  
21 be modified by the board on a case-by-case basis.

22 (2) A knife, brass knuckles or other knuckle weapon  
23 regardless of its composition, a billy club, or any other  
24 object if used or attempted to be used to cause bodily  
25 harm, including "look alike" of any firearm as defined in  
26 subdivision (1) of this subsection (d). The expulsion

1 requirement under this subdivision (2) may be modified by  
2 the superintendent, and the superintendent's determination  
3 may be modified by the board on a case-by-case basis.

4 Expulsion or suspension shall be construed in a manner  
5 consistent with the federal Individuals with Disabilities  
6 Education Act. A student who is subject to suspension or  
7 expulsion as provided in this Section may be eligible for a  
8 transfer to an alternative school program in accordance with  
9 Article 13A of the School Code.

10 (d-5) The board may suspend or by regulation authorize the  
11 superintendent of the district or the principal, assistant  
12 principal, or dean of students of any school to suspend a  
13 student for a period not to exceed 10 school days or may expel  
14 a student for a definite period of time not to exceed 2  
15 calendar years, as determined on a case-by-case basis, if (i)  
16 that student has been determined to have made an explicit  
17 threat on an Internet website against a school employee, a  
18 student, or any school-related personnel, (ii) the Internet  
19 website through which the threat was made is a site that was  
20 accessible within the school at the time the threat was made or  
21 was available to third parties who worked or studied within  
22 the school grounds at the time the threat was made, and (iii)  
23 the threat could be reasonably interpreted as threatening to  
24 the safety and security of the threatened individual because  
25 of the individual's duties or employment status or status as a  
26 student inside the school.

1           (e) To maintain order and security in the schools, school  
2 authorities may inspect and search places and areas such as  
3 lockers, desks, parking lots, and other school property and  
4 equipment owned or controlled by the school, as well as  
5 personal effects left in those places and areas by students,  
6 without notice to or the consent of the student, and without a  
7 search warrant. As a matter of public policy, the General  
8 Assembly finds that students have no reasonable expectation of  
9 privacy in these places and areas or in their personal effects  
10 left in these places and areas. School authorities may request  
11 the assistance of law enforcement officials for the purpose of  
12 conducting inspections and searches of lockers, desks, parking  
13 lots, and other school property and equipment owned or  
14 controlled by the school for illegal drugs, weapons, or other  
15 illegal or dangerous substances or materials, including  
16 searches conducted through the use of specially trained dogs.  
17 If a search conducted in accordance with this Section produces  
18 evidence that the student has violated or is violating either  
19 the law, local ordinance, or the school's policies or rules,  
20 such evidence may be seized by school authorities, and  
21 disciplinary action may be taken. School authorities may also  
22 turn over such evidence to law enforcement authorities.

23           (f) Suspension or expulsion may include suspension or  
24 expulsion from school and all school activities and a  
25 prohibition from being present on school grounds.

26           (g) A school district may adopt a policy providing that if



1 a student is suspended or expelled for any reason from any  
2 public or private school in this or any other state, the  
3 student must complete the entire term of the suspension or  
4 expulsion in an alternative school program under Article 13A  
5 of this Code or an alternative learning opportunities program  
6 under Article 13B of this Code before being admitted into the  
7 school district if there is no threat to the safety of students  
8 or staff in the alternative program.

9 (h) School officials shall not advise or encourage  
10 students to drop out voluntarily due to behavioral or academic  
11 difficulties.

12 (i) In this subsection (i):

13 "Municipal code violation" means the violation of a rule  
14 or regulation established by a local government authority,  
15 authorized by Section 1-2-1 of the Illinois Municipal Code.

16 "School personnel" means a person who is employed by, who  
17 is on contract with, or who volunteers in a school district or  
18 charter school, including, but not limited to, a school  
19 administrator, school district administrator, teacher, school  
20 social worker, school counselor, school psychologist, school  
21 nurse, paraprofessional, speech-language pathologist,  
22 cafeteria worker, custodian, bus driver, school resource  
23 officer, or security guard.

24 School personnel may not issue ~~A student may not be issued~~  
25 a monetary fine, or fee, ticket, or citation for a municipal  
26 code violation ~~as a disciplinary consequence,~~ though this

1 shall not preclude requiring a student to provide restitution  
2 for lost, stolen, or damaged property. This subsection (i)  
3 does not modify school disciplinary responses under this  
4 Section or Section 10-20.14 of this Code that existed before  
5 the effective date of this amendatory Act of the 104th General  
6 Assembly or responses to alleged delinquent or criminal  
7 conduct set forth in this Code, Article V of the Juvenile Court  
8 Act of 1987, or the Criminal Code of 2012.

9 (j) Subsections (a) through (i) of this Section shall  
10 apply to elementary and secondary schools, charter schools,  
11 special charter districts, and school districts organized  
12 under Article 34 of this Code.

13 (k) The expulsion of students enrolled in programs funded  
14 under Section 1C-2 of this Code is subject to the requirements  
15 under paragraph (7) of subsection (a) of Section 2-3.71 of  
16 this Code.

17 (l) An in-school suspension program provided by a school  
18 district for any students in kindergarten through grade 12 may  
19 focus on promoting non-violent conflict resolution and  
20 positive interaction with other students and school personnel.  
21 A school district may employ a school social worker or a  
22 licensed mental health professional to oversee an in-school  
23 suspension program in kindergarten through grade 12.

24 (Source: P.A. 102-539, eff. 8-20-21; 102-813, eff. 5-13-22;  
25 103-594, eff. 6-25-24; 103-896, eff. 8-9-24; revised 9-25-24.)

1 (Text of Section after amendment by P.A. 102-466)

2 Sec. 10-22.6. Suspension or expulsion of students; school  
3 searches.

4 (a) To expel students guilty of gross disobedience or  
5 misconduct, including gross disobedience or misconduct  
6 perpetuated by electronic means, pursuant to subsection (b-20)  
7 of this Section, and no action shall lie against them for such  
8 expulsion. Expulsion shall take place only after the parents  
9 or guardians have been requested to appear at a meeting of the  
10 board, or with a hearing officer appointed by it, to discuss  
11 their child's behavior. Such request shall be made by  
12 registered or certified mail and shall state the time, place  
13 and purpose of the meeting. The board, or a hearing officer  
14 appointed by it, at such meeting shall state the reasons for  
15 dismissal and the date on which the expulsion is to become  
16 effective. If a hearing officer is appointed by the board, the  
17 hearing officer shall report to the board a written summary of  
18 the evidence heard at the meeting and the board may take such  
19 action thereon as it finds appropriate. If the board acts to  
20 expel a student, the written expulsion decision shall detail  
21 the specific reasons why removing the student from the  
22 learning environment is in the best interest of the school.  
23 The expulsion decision shall also include a rationale as to  
24 the specific duration of the expulsion. An expelled student  
25 may be immediately transferred to an alternative program in  
26 the manner provided in Article 13A or 13B of this Code. A

1 student must not be denied transfer because of the expulsion,  
2 except in cases in which such transfer is deemed to cause a  
3 threat to the safety of students or staff in the alternative  
4 program.

5 (b) To suspend or by policy to authorize the  
6 superintendent of the district or the principal, assistant  
7 principal, or dean of students of any school to suspend  
8 students guilty of gross disobedience or misconduct, or to  
9 suspend students guilty of gross disobedience or misconduct on  
10 the school bus from riding the school bus, pursuant to  
11 subsections (b-15) and (b-20) of this Section, and no action  
12 shall lie against them for such suspension. The board may by  
13 policy authorize the superintendent of the district or the  
14 principal, assistant principal, or dean of students of any  
15 school to suspend students guilty of such acts for a period not  
16 to exceed 10 school days. If a student is suspended due to  
17 gross disobedience or misconduct on a school bus, the board  
18 may suspend the student in excess of 10 school days for safety  
19 reasons.

20 Any suspension shall be reported immediately to the  
21 parents or guardians of a student along with a full statement  
22 of the reasons for such suspension and a notice of their right  
23 to a review. The school board must be given a summary of the  
24 notice, including the reason for the suspension and the  
25 suspension length. Upon request of the parents or guardians,  
26 the school board or a hearing officer appointed by it shall

1 review such action of the superintendent or principal,  
2 assistant principal, or dean of students. At such review, the  
3 parents or guardians of the student may appear and discuss the  
4 suspension with the board or its hearing officer. If a hearing  
5 officer is appointed by the board, he shall report to the board  
6 a written summary of the evidence heard at the meeting. After  
7 its hearing or upon receipt of the written report of its  
8 hearing officer, the board may take such action as it finds  
9 appropriate. If a student is suspended pursuant to this  
10 subsection (b), the board shall, in the written suspension  
11 decision, detail the specific act of gross disobedience or  
12 misconduct resulting in the decision to suspend. The  
13 suspension decision shall also include a rationale as to the  
14 specific duration of the suspension.

15 (b-5) Among the many possible disciplinary interventions  
16 and consequences available to school officials, school  
17 exclusions, such as out-of-school suspensions and expulsions,  
18 are the most serious. School officials shall limit the number  
19 and duration of expulsions and suspensions to the greatest  
20 extent practicable, and it is recommended that they use them  
21 only for legitimate educational purposes. To ensure that  
22 students are not excluded from school unnecessarily, it is  
23 recommended that school officials consider forms of  
24 non-exclusionary discipline prior to using out-of-school  
25 suspensions or expulsions.

26 (b-10) Unless otherwise required by federal law or this

1 Code, school boards may not institute zero-tolerance policies  
2 by which school administrators are required to suspend or  
3 expel students for particular behaviors.

4 (b-15) Out-of-school suspensions of 3 days or less may be  
5 used only if the student's continuing presence in school would  
6 pose a threat to school safety or a disruption to other  
7 students' learning opportunities. For purposes of this  
8 subsection (b-15), "threat to school safety or a disruption to  
9 other students' learning opportunities" shall be determined on  
10 a case-by-case basis by the school board or its designee.  
11 School officials shall make all reasonable efforts to resolve  
12 such threats, address such disruptions, and minimize the  
13 length of suspensions to the greatest extent practicable.

14 (b-20) Unless otherwise required by this Code,  
15 out-of-school suspensions of longer than 3 days, expulsions,  
16 and disciplinary removals to alternative schools may be used  
17 only if other appropriate and available behavioral and  
18 disciplinary interventions have been exhausted and the  
19 student's continuing presence in school would either (i) pose  
20 a threat to the safety of other students, staff, or members of  
21 the school community or (ii) substantially disrupt, impede, or  
22 interfere with the operation of the school. For purposes of  
23 this subsection (b-20), "threat to the safety of other  
24 students, staff, or members of the school community" and  
25 "substantially disrupt, impede, or interfere with the  
26 operation of the school" shall be determined on a case-by-case

1 basis by school officials. For purposes of this subsection  
2 (b-20), the determination of whether "appropriate and  
3 available behavioral and disciplinary interventions have been  
4 exhausted" shall be made by school officials. School officials  
5 shall make all reasonable efforts to resolve such threats,  
6 address such disruptions, and minimize the length of student  
7 exclusions to the greatest extent practicable. Within the  
8 suspension decision described in subsection (b) of this  
9 Section or the expulsion decision described in subsection (a)  
10 of this Section, it shall be documented whether other  
11 interventions were attempted or whether it was determined that  
12 there were no other appropriate and available interventions.

13 (b-25) Students who are suspended out-of-school for longer  
14 than 3 school days shall be provided appropriate and available  
15 support services during the period of their suspension. For  
16 purposes of this subsection (b-25), "appropriate and available  
17 support services" shall be determined by school authorities.  
18 Within the suspension decision described in subsection (b) of  
19 this Section, it shall be documented whether such services are  
20 to be provided or whether it was determined that there are no  
21 such appropriate and available services.

22 A school district may refer students who are expelled to  
23 appropriate and available support services.

24 A school district shall create a policy to facilitate the  
25 re-engagement of students who are suspended out-of-school,  
26 expelled, or returning from an alternative school setting. In

1 consultation with stakeholders deemed appropriate by the State  
2 Board of Education, the State Board of Education shall draft  
3 and publish guidance for the re-engagement of students who are  
4 suspended out-of-school, expelled, or returning from an  
5 alternative school setting in accordance with this Section and  
6 Section 13A-4 on or before July 1, 2025.

7 (b-30) A school district shall create a policy by which  
8 suspended students, including those students suspended from  
9 the school bus who do not have alternate transportation to  
10 school, shall have the opportunity to make up work for  
11 equivalent academic credit. It shall be the responsibility of  
12 a student's parents or guardians to notify school officials  
13 that a student suspended from the school bus does not have  
14 alternate transportation to school.

15 (b-35) In all suspension review hearings conducted under  
16 subsection (b) or expulsion hearings conducted under  
17 subsection (a), a student may disclose any factor to be  
18 considered in mitigation, including his or her status as a  
19 parent, expectant parent, or victim of domestic or sexual  
20 violence, as defined in Article 26A. A representative of the  
21 parent's or guardian's choice, or of the student's choice if  
22 emancipated, must be permitted to represent the student  
23 throughout the proceedings and to address the school board or  
24 its appointed hearing officer. With the approval of the  
25 student's parent or guardian, or of the student if  
26 emancipated, a support person must be permitted to accompany



1 the student to any disciplinary hearings or proceedings. The  
2 representative or support person must comply with any rules of  
3 the school district's hearing process. If the representative  
4 or support person violates the rules or engages in behavior or  
5 advocacy that harasses, abuses, or intimidates either party, a  
6 witness, or anyone else in attendance at the hearing, the  
7 representative or support person may be prohibited from  
8 further participation in the hearing or proceeding. A  
9 suspension or expulsion proceeding under this subsection  
10 (b-35) must be conducted independently from any ongoing  
11 criminal investigation or proceeding, and an absence of  
12 pending or possible criminal charges, criminal investigations,  
13 or proceedings may not be a factor in school disciplinary  
14 decisions.

15 (b-40) During a suspension review hearing conducted under  
16 subsection (b) or an expulsion hearing conducted under  
17 subsection (a) that involves allegations of sexual violence by  
18 the student who is subject to discipline, neither the student  
19 nor his or her representative shall directly question nor have  
20 direct contact with the alleged victim. The student who is  
21 subject to discipline or his or her representative may, at the  
22 discretion and direction of the school board or its appointed  
23 hearing officer, suggest questions to be posed by the school  
24 board or its appointed hearing officer to the alleged victim.

25 (c) A school board must invite a representative from a  
26 local mental health agency to consult with the board at the

1 meeting whenever there is evidence that mental illness may be  
2 the cause of a student's expulsion or suspension.

3 (c-5) School districts shall make reasonable efforts to  
4 provide ongoing professional development to all school  
5 personnel, school board members, and school resource officers  
6 on the requirements of this Section and Section 10-20.14, the  
7 adverse consequences of school exclusion and justice-system  
8 involvement, effective classroom management strategies,  
9 culturally responsive discipline, trauma-responsive learning  
10 environments, as defined in subsection (b) of Section 3-11,  
11 the appropriate and available supportive services for the  
12 promotion of student attendance and engagement, and  
13 developmentally appropriate disciplinary methods that promote  
14 positive and healthy school climates.

15 (d) The board may expel a student for a definite period of  
16 time not to exceed 2 calendar years, as determined on a  
17 case-by-case basis. A student who is determined to have  
18 brought one of the following objects to school, any  
19 school-sponsored activity or event, or any activity or event  
20 that bears a reasonable relationship to school shall be  
21 expelled for a period of not less than one year:

22 (1) A firearm. For the purposes of this Section,  
23 "firearm" means any gun, rifle, shotgun, weapon as defined  
24 by Section 921 of Title 18 of the United States Code,  
25 firearm as defined in Section 1.1 of the Firearm Owners  
26 Identification Card Act, or firearm as defined in Section

1        24-1 of the Criminal Code of 2012. The expulsion period  
2        under this subdivision (1) may be modified by the  
3        superintendent, and the superintendent's determination may  
4        be modified by the board on a case-by-case basis.

5        (2) A knife, brass knuckles or other knuckle weapon  
6        regardless of its composition, a billy club, or any other  
7        object if used or attempted to be used to cause bodily  
8        harm, including "look alike" of any firearm as defined in  
9        subdivision (1) of this subsection (d). The expulsion  
10       requirement under this subdivision (2) may be modified by  
11       the superintendent, and the superintendent's determination  
12       may be modified by the board on a case-by-case basis.

13       Expulsion or suspension shall be construed in a manner  
14       consistent with the federal Individuals with Disabilities  
15       Education Act. A student who is subject to suspension or  
16       expulsion as provided in this Section may be eligible for a  
17       transfer to an alternative school program in accordance with  
18       Article 13A of the School Code.

19       (d-5) The board may suspend or by regulation authorize the  
20       superintendent of the district or the principal, assistant  
21       principal, or dean of students of any school to suspend a  
22       student for a period not to exceed 10 school days or may expel  
23       a student for a definite period of time not to exceed 2  
24       calendar years, as determined on a case-by-case basis, if (i)  
25       that student has been determined to have made an explicit  
26       threat on an Internet website against a school employee, a

1 student, or any school-related personnel, (ii) the Internet  
2 website through which the threat was made is a site that was  
3 accessible within the school at the time the threat was made or  
4 was available to third parties who worked or studied within  
5 the school grounds at the time the threat was made, and (iii)  
6 the threat could be reasonably interpreted as threatening to  
7 the safety and security of the threatened individual because  
8 of the individual's duties or employment status or status as a  
9 student inside the school.

10 (e) To maintain order and security in the schools, school  
11 authorities may inspect and search places and areas such as  
12 lockers, desks, parking lots, and other school property and  
13 equipment owned or controlled by the school, as well as  
14 personal effects left in those places and areas by students,  
15 without notice to or the consent of the student, and without a  
16 search warrant. As a matter of public policy, the General  
17 Assembly finds that students have no reasonable expectation of  
18 privacy in these places and areas or in their personal effects  
19 left in these places and areas. School authorities may request  
20 the assistance of law enforcement officials for the purpose of  
21 conducting inspections and searches of lockers, desks, parking  
22 lots, and other school property and equipment owned or  
23 controlled by the school for illegal drugs, weapons, or other  
24 illegal or dangerous substances or materials, including  
25 searches conducted through the use of specially trained dogs.  
26 If a search conducted in accordance with this Section produces

1 evidence that the student has violated or is violating either  
2 the law, local ordinance, or the school's policies or rules,  
3 such evidence may be seized by school authorities, and  
4 disciplinary action may be taken. School authorities may also  
5 turn over such evidence to law enforcement authorities.

6 (f) Suspension or expulsion may include suspension or  
7 expulsion from school and all school activities and a  
8 prohibition from being present on school grounds.

9 (g) A school district may adopt a policy providing that if  
10 a student is suspended or expelled for any reason from any  
11 public or private school in this or any other state, the  
12 student must complete the entire term of the suspension or  
13 expulsion in an alternative school program under Article 13A  
14 of this Code or an alternative learning opportunities program  
15 under Article 13B of this Code before being admitted into the  
16 school district if there is no threat to the safety of students  
17 or staff in the alternative program. A school district that  
18 adopts a policy under this subsection (g) must include a  
19 provision allowing for consideration of any mitigating  
20 factors, including, but not limited to, a student's status as  
21 a parent, expectant parent, or victim of domestic or sexual  
22 violence, as defined in Article 26A.

23 (h) School officials shall not advise or encourage  
24 students to drop out voluntarily due to behavioral or academic  
25 difficulties.

26 (i) In this subsection (i):

1       "Municipal code violation" means the violation of a rule  
2       or regulation established by a local government authority,  
3       authorized by Section 1-2-1 of the Illinois Municipal Code.

4       "School personnel" means a person who is employed by, who  
5       is on contract with, or who volunteers in a school district or  
6       charter school, including, but not limited to, a school  
7       administrator, school district administrator, teacher, school  
8       social worker, school counselor, school psychologist, school  
9       nurse, paraprofessional, speech-language pathologist,  
10       cafeteria worker, custodian, bus driver, school resource  
11       officer, or security guard.

12       School personnel may not issue ~~A student may not be issued~~  
13       a monetary fine, ~~or~~ fee, ticket, or citation for a municipal  
14       code violation as a disciplinary consequence, though this  
15       shall not preclude requiring a student to provide restitution  
16       for lost, stolen, or damaged property. This subsection (i)  
17       does not modify school disciplinary responses under this  
18       Section or Section 10-20.14 of this Code that existed before  
19       the effective date of this amendatory Act of the 104th General  
20       Assembly or responses to alleged delinquent or criminal  
21       conduct set forth in this Code, Article V of the Juvenile Court  
22       Act of 1987, or the Criminal Code of 2012.

23       (j) Subsections (a) through (i) of this Section shall  
24       apply to elementary and secondary schools, charter schools,  
25       special charter districts, and school districts organized  
26       under Article 34 of this Code.

1 (k) Through June 30, 2026, the expulsion of students  
2 enrolled in programs funded under Section 1C-2 of this Code is  
3 subject to the requirements under paragraph (7) of subsection  
4 (a) of Section 2-3.71 of this Code.

5 (k-5) On and after July 1, 2026, the expulsion of children  
6 enrolled in programs funded under Section 15-25 of the  
7 Department of Early Childhood Act is subject to the  
8 requirements of paragraph (7) of subsection (a) of Section  
9 15-30 of the Department of Early Childhood Act.

10 (l) An in-school suspension program provided by a school  
11 district for any students in kindergarten through grade 12 may  
12 focus on promoting non-violent conflict resolution and  
13 positive interaction with other students and school personnel.  
14 A school district may employ a school social worker or a  
15 licensed mental health professional to oversee an in-school  
16 suspension program in kindergarten through grade 12.

17 (Source: P.A. 102-466, eff. 7-1-25; 102-539, eff. 8-20-21;  
18 102-813, eff. 5-13-22; 103-594, eff. 6-25-24; 103-896, eff.  
19 8-9-24; revised 9-25-24.)

20 (105 ILCS 5/26-12) (from Ch. 122, par. 26-12)

21 Sec. 26-12. Punitive action.

22 (a) No punitive action, including out-of-school  
23 suspensions, expulsions, or court action, shall be taken  
24 against truant minors for such truancy unless appropriate and  
25 available supportive services and other school resources have

1     been provided to the student. Notwithstanding the provisions  
2     of Section 10-22.6 of this Code, a truant minor may not be  
3     expelled for nonattendance unless he or she has accrued 15  
4     consecutive days of absences without valid cause and the  
5     student cannot be located by the school district or the school  
6     district has located the student but cannot, after exhausting  
7     all available supportive services, compel the student to  
8     return to school.

9         (b) School personnel ~~A school district~~ may not refer a  
10     truant, chronic truant, or truant minor to any other local  
11     public entity, as defined under Section 1-206 of the Local  
12     Governmental and Governmental Employees Tort Immunity Act,  
13     school resource officer, as defined in Section 10-20.68 of  
14     this Code, or peace officer, as defined in Section 2-13 of the  
15     Criminal Code of 2012, for that local public entity, school  
16     resource officer, or peace officer to issue the child a fine or  
17     a fee as punishment for his or her truancy.

18         (c) A school district may refer any person having custody  
19     or control of a truant, chronic truant, or truant minor to any  
20     other local public entity, as defined under Section 1-206 of  
21     the Local Governmental and Governmental Employees Tort  
22     Immunity Act, for that local public entity to issue the person  
23     a fine or fee for the child's truancy only if the school  
24     district's truant officer, regional office of education, or  
25     intermediate service center has been notified of the truant  
26     behavior and the school district, regional office of



1 education, or intermediate service center has offered all  
2 appropriate and available supportive services and other school  
3 resources to the child. Before a school district may refer a  
4 person having custody or control of a child to a municipality,  
5 as defined under Section 1-1-2 of the Illinois Municipal Code,  
6 the school district must provide the following appropriate and  
7 available services:

8 (1) For any child who is a homeless child, as defined  
9 under Section 1-5 of the Education for Homeless Children  
10 Act, a meeting between the child, the person having  
11 custody or control of the child, relevant school  
12 personnel, and a homeless liaison to discuss any barriers  
13 to the child's attendance due to the child's transitional  
14 living situation and to construct a plan that removes  
15 these barriers.

16 (2) For any child with a documented disability, a  
17 meeting between the child, the person having custody or  
18 control of the child, and relevant school personnel to  
19 review the child's current needs and address the  
20 appropriateness of the child's placement and services. For  
21 any child subject to Article 14 of this Code, this meeting  
22 shall be an individualized education program meeting and  
23 shall include relevant members of the individualized  
24 education program team. For any child with a disability  
25 under Section 504 of the federal Rehabilitation Act of  
26 1973 (29 U.S.C. 794), this meeting shall be a Section 504

1 plan review and include relevant members of the Section  
2 504 plan team.

3 (3) For any child currently being evaluated by a  
4 school district for a disability or for whom the school  
5 has a basis of knowledge that the child is a child with a  
6 disability under 20 U.S.C. 1415(k)(5), the completion of  
7 the evaluation and determination of the child's  
8 eligibility for special education services.

9 (d) Before a school district may refer a person having  
10 custody or control of a child to a local public entity under  
11 this Section, the school district must document any  
12 appropriate and available supportive services offered to the  
13 child. In the event a meeting under this Section does not  
14 occur, a school district must have documentation that it made  
15 reasonable efforts to convene the meeting at a mutually  
16 convenient time and date for the school district and the  
17 person having custody or control of the child and, but for the  
18 conduct of that person, the meeting would have occurred.

19 (Source: P.A. 100-810, eff. 1-1-19; 100-825, eff. 8-13-18;  
20 101-81, eff. 7-12-19.)

21 Section 95. No acceleration or delay. Where this Act makes  
22 changes in a statute that is represented in this Act by text  
23 that is not yet or no longer in effect (for example, a Section  
24 represented by multiple versions), the use of that text does  
25 not accelerate or delay the taking effect of (i) the changes

1 made by this Act or (ii) provisions derived from any other  
2 Public Act.

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.