

## 104TH GENERAL ASSEMBLY

### State of Illinois

### 2025 and 2026

### HB3772

Introduced 2/18/2025, by Rep. William "Will" Davis

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.71	from Ch. 122, par. 2-3.71
105 ILCS 5/2-3.162	
105 ILCS 5/10-22.6	from Ch. 122, par. 10-22.6
105 ILCS 5/13B-20.25	
105 ILCS 5/13B-20.30	

Amends the School Code. Provides that early childhood programs receiving State funds shall restrict suspensions. Provides that the decision to suspend a student in preschool for 3 or more days may only be made by the superintendent of the school district, director of an early childhood program, or their equivalent and that the length of the suspension for any student in preschool may not be longer than the number of days required by the school district or early childhood program to develop and implement a behavior intervention plan or safety plan. Prohibits a student in kindergarten through grade 2 from being expelled unless otherwise required by federal or State law. Provides that the decision to suspend a student in kindergarten through grade 2 for 3 or more days may only be made by the superintendent of the school district and that the length of the suspension for any student in kindergarten through grade 2 may not be longer than the number of days required by the school district to develop and implement a behavior intervention plan or safety plan. Provides that a student who is suspended in excess of 20 school days may be immediately transferred to an alternative program. Provides that a student shall not be denied transfer because of the suspension, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program. Makes other changes.

LRB104 10321 LNS 20395 b

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 changing Sections  
5 2-3.71, 2-3.162, 10-22.6, 13B-20.25, 13B-20.30, and 13B-25.5  
6 as follows:

7 (105 ILCS 5/2-3.71) (from Ch. 122, par. 2-3.71)  
8 Sec. 2-3.71. Grants for preschool educational programs.

9 (a) Preschool program.

10 (1) Through June 30, 2026, the State Board of  
11 Education shall implement and administer a grant program  
12 under the provisions of this subsection which shall  
13 consist of grants to public school districts and other  
14 eligible entities, as defined by the State Board of  
15 Education, to conduct voluntary preschool educational  
16 programs for children ages 3 to 5 which include a parent  
17 education component. A public school district which  
18 receives grants under this subsection may subcontract with  
19 other entities that are eligible to conduct a preschool  
20 educational program. These grants must be used to  
21 supplement, not supplant, funds received from any other  
22 source.

23 (1.5) On and after July 1, 2026, the Department of

1 Early Childhood shall implement and administer a grant  
2 program for school districts and other eligible entities,  
3 as defined by the Department, to conduct voluntary  
4 preschool educational programs for children ages 3 to 5  
5 which include a parent education component. A public  
6 school district which receives grants under this  
7 subsection may subcontract with other entities that are  
8 eligible to conduct a preschool educational program. These  
9 grants must be used to supplement, not supplant, funds  
10 received from any other source.

11 (2) (Blank).

12 (3) Except as otherwise provided under this subsection  
13 (a), any teacher of preschool children in the program  
14 authorized by this subsection shall hold a Professional  
15 Educator License with an early childhood education  
16 endorsement.

17 (3.5) Beginning with the 2018-2019 school year and  
18 until the 2028-2029 school year, an individual may teach  
19 preschool children in an early childhood program under  
20 this Section if he or she holds a Professional Educator  
21 License with an early childhood education endorsement or  
22 with short-term approval for early childhood education or  
23 he or she pursues a Professional Educator License and  
24 holds any of the following:

25 (A) An ECE Credential Level of 5 awarded by the  
26 Department of Human Services under the Gateways to

1 Opportunity Program developed under Section 10-70 of  
2 the Department of Human Services Act.

3 (B) An Educator License with Stipulations with a  
4 transitional bilingual educator endorsement and he or  
5 she has (i) passed an early childhood education  
6 content test or (ii) completed no less than 9 semester  
7 hours of postsecondary coursework in the area of early  
8 childhood education.

9 (4) (Blank).

10 (4.5) Through June 30, 2026, the State Board of  
11 Education shall provide the primary source of funding  
12 through appropriations for the program. On and after July  
13 1, 2026, the Department of Early Childhood shall provide  
14 the primary source of funding through appropriations for  
15 the program. Such funds shall be distributed to achieve a  
16 goal of "Preschool for All Children" for the benefit of  
17 all children whose families choose to participate in the  
18 program. Based on available appropriations, newly funded  
19 programs shall be selected through a process giving first  
20 priority to qualified programs serving primarily at-risk  
21 children and second priority to qualified programs serving  
22 primarily children with a family income of less than 4  
23 times the poverty guidelines updated periodically in the  
24 Federal Register by the U.S. Department of Health and  
25 Human Services under the authority of 42 U.S.C. 9902(2).  
26 For purposes of this paragraph (4.5), at-risk children are

1       those who because of their home and community environment  
2       are subject to such language, cultural, economic and like  
3       disadvantages to cause them to have been determined as a  
4       result of screening procedures to be at risk of academic  
5       failure. Through June 30, 2026, such screening procedures  
6       shall be based on criteria established by the State Board  
7       of Education. On and after July 1, 2026, such screening  
8       procedures shall be based on criteria established by the  
9       Department of Early Childhood.

10       Except as otherwise provided in this paragraph (4.5),  
11       grantees under the program must enter into a memorandum of  
12       understanding with the appropriate local Head Start  
13       agency. This memorandum must be entered into no later than  
14       3 months after the award of a grantee's grant under the  
15       program, except that, in the case of the 2009-2010 program  
16       year, the memorandum must be entered into no later than  
17       the deadline set by the State Board of Education for  
18       applications to participate in the program in fiscal year  
19       2011, and must address collaboration between the grantee's  
20       program and the local Head Start agency on certain issues,  
21       which shall include without limitation the following:

22               (A) educational activities, curricular objectives,  
23       and instruction;

24               (B) public information dissemination and access to  
25       programs for families contacting programs;

26               (C) service areas;

1 (D) selection priorities for eligible children to  
2 be served by programs;

3 (E) maximizing the impact of federal and State  
4 funding to benefit young children;

5 (F) staff training, including opportunities for  
6 joint staff training;

7 (G) technical assistance;

8 (H) communication and parent outreach for smooth  
9 transitions to kindergarten;

10 (I) provision and use of facilities,  
11 transportation, and other program elements;

12 (J) facilitating each program's fulfillment of its  
13 statutory and regulatory requirements;

14 (K) improving local planning and collaboration;  
15 and

16 (L) providing comprehensive services for the  
17 neediest Illinois children and families.

18 Through June 30, 2026, if the appropriate local Head Start  
19 agency is unable or unwilling to enter into a memorandum  
20 of understanding as required under this paragraph (4.5),  
21 the memorandum of understanding requirement shall not  
22 apply and the grantee under the program must notify the  
23 State Board of Education in writing of the Head Start  
24 agency's inability or unwillingness. The State Board of  
25 Education shall compile all such written notices and make  
26 them available to the public. On and after July 1, 2026, if

1 the appropriate local Head Start agency is unable or  
2 unwilling to enter into a memorandum of understanding as  
3 required under this paragraph (4.5), the memorandum of  
4 understanding requirement shall not apply and the grantee  
5 under the program must notify the Department of Early  
6 Childhood in writing of the Head Start agency's inability  
7 or unwillingness. The Department of Early Childhood shall  
8 compile all such written notices and make them available  
9 to the public.

10 (5) Through June 30, 2026, the State Board of  
11 Education shall develop and provide evaluation tools,  
12 including tests, that school districts and other eligible  
13 entities may use to evaluate children for school readiness  
14 prior to age 5. The State Board of Education shall require  
15 school districts and other eligible entities to obtain  
16 consent from the parents or guardians of children before  
17 any evaluations are conducted. The State Board of  
18 Education shall encourage local school districts and other  
19 eligible entities to evaluate the population of preschool  
20 children in their communities and provide preschool  
21 programs, pursuant to this subsection, where appropriate.

22 (5.1) On and after July 1, 2026, the Department of  
23 Early Childhood shall develop and provide evaluation  
24 tools, including tests, that school districts and other  
25 eligible entities may use to evaluate children for school  
26 readiness prior to age 5. The Department of Early

1 Childhood shall require school districts and other  
2 eligible entities to obtain consent from the parents or  
3 guardians of children before any evaluations are  
4 conducted. The Department of Early Childhood shall  
5 encourage local school districts and other eligible  
6 entities to evaluate the population of preschool children  
7 in their communities and provide preschool programs,  
8 pursuant to this subsection, where appropriate.

9 (6) Through June 30, 2026, the State Board of  
10 Education shall report to the General Assembly by November  
11 1, 2018 and every 2 years thereafter on the results and  
12 progress of students who were enrolled in preschool  
13 educational programs, including an assessment of which  
14 programs have been most successful in promoting academic  
15 excellence and alleviating academic failure. Through June  
16 30, 2026, the State Board of Education shall assess the  
17 academic progress of all students who have been enrolled  
18 in preschool educational programs.

19 Through fiscal year 2026, on or before November 1 of  
20 each fiscal year in which the General Assembly provides  
21 funding for new programs under paragraph (4.5) of this  
22 Section, the State Board of Education shall report to the  
23 General Assembly on what percentage of new funding was  
24 provided to programs serving primarily at-risk children,  
25 what percentage of new funding was provided to programs  
26 serving primarily children with a family income of less



1           than 4 times the federal poverty level, and what  
2           percentage of new funding was provided to other programs.

3           (6.1) On and after July 1, 2026, the Department of  
4           Early Childhood shall report to the General Assembly by  
5           November 1, 2026 and every 2 years thereafter on the  
6           results and progress of students who were enrolled in  
7           preschool educational programs, including an assessment of  
8           which programs have been most successful in promoting  
9           academic excellence and alleviating academic failure. On  
10          and after July 1, 2026, the Department of Early Childhood  
11          shall assess the academic progress of all students who  
12          have been enrolled in preschool educational programs.  
13          Beginning in fiscal year 2027, on or before November 1 of  
14          each fiscal year in which the General Assembly provides  
15          funding for new programs under paragraph (4.5) of this  
16          Section, the Department of Early Childhood shall report to  
17          the General Assembly on what percentage of new funding was  
18          provided to programs serving primarily at-risk children,  
19          what percentage of new funding was provided to programs  
20          serving primarily children with a family income of less  
21          than 4 times the federal poverty level, and what  
22          percentage of new funding was provided to other programs.

23          (7) Due to evidence that expulsion practices in the  
24          preschool years are linked to poor child outcomes and are  
25          employed inconsistently across racial and gender groups,  
26          early childhood programs receiving State funds under this

1 subsection (a) shall prohibit expulsions. Planned  
2 transitions to settings that are able to better meet a  
3 child's needs are not considered expulsion under this  
4 paragraph (7).

5 (A) When persistent and serious challenging  
6 behaviors emerge, the early childhood program shall  
7 document steps taken to ensure that the child can  
8 participate safely in the program; including  
9 observations of initial and ongoing challenging  
10 behaviors, strategies for remediation and intervention  
11 plans to address the behaviors, and communication with  
12 the parent or legal guardian, including participation  
13 of the parent or legal guardian in planning and  
14 decision-making.

15 (B) The early childhood program shall, with  
16 parental or legal guardian consent as required,  
17 utilize a range of community resources, if available  
18 and deemed necessary, including, but not limited to,  
19 developmental screenings, referrals to programs and  
20 services administered by a local educational agency or  
21 early intervention agency under Parts B and C of the  
22 federal Individual with Disabilities Education Act,  
23 and consultation with infant and early childhood  
24 mental health consultants and the child's health care  
25 provider. The program shall document attempts to  
26 engage these resources, including parent or legal

1 guardian participation and consent attempted and  
2 obtained. Communication with the parent or legal  
3 guardian shall take place in a culturally and  
4 linguistically competent manner.

5 (C) If there is documented evidence that all  
6 available interventions and supports recommended by a  
7 qualified professional have been exhausted and the  
8 program determines in its professional judgment that  
9 transitioning a child to another program is necessary  
10 for the well-being of the child or his or her peers and  
11 staff, with parent or legal guardian permission, both  
12 the current and pending programs shall create a  
13 transition plan designed to ensure continuity of  
14 services and the comprehensive development of the  
15 child. Communication with families shall occur in a  
16 culturally and linguistically competent manner.

17 (D) Nothing in this paragraph (7) shall preclude a  
18 parent's or legal guardian's right to voluntarily  
19 withdraw his or her child from an early childhood  
20 program. Early childhood programs shall request and  
21 keep on file, when received, a written statement from  
22 the parent or legal guardian stating the reason for  
23 his or her decision to withdraw his or her child.

24 (E) In the case of the determination of a serious  
25 safety threat to a child or others or in the case of  
26 behaviors listed in subsection (d) of Section 10-22.6

1 of this Code, the temporary removal of a child from  
2 attendance in group settings may be used. Temporary  
3 removal of a child from attendance in a group setting  
4 shall trigger the process detailed in subparagraphs  
5 (A), (B), and (C) of this paragraph (7), with the child  
6 placed back in a group setting as quickly as possible.

7 (F) Early childhood programs may utilize and the  
8 Department of Early Childhood, State Board of  
9 Education, the Department of Human Services, and the  
10 Department of Children and Family Services shall  
11 recommend training, technical support, and  
12 professional development resources to improve the  
13 ability of teachers, administrators, program  
14 directors, and other staff to promote social-emotional  
15 development and behavioral health, to address  
16 challenging behaviors, and to understand trauma and  
17 trauma-informed care, cultural competence, family  
18 engagement with diverse populations, the impact of  
19 implicit bias on adult behavior, and the use of  
20 reflective practice techniques. Support shall include  
21 the availability of resources to contract with infant  
22 and early childhood mental health consultants.

23 (G) Through June 30, 2026, early childhood  
24 programs shall annually report to the State Board of  
25 Education, and, beginning in fiscal year 2020, the  
26 State Board of Education shall make available on a

1 biennial basis, in an existing report, all of the  
2 following data for children from birth to age 5 who are  
3 served by the program:

4 (i) Total number served over the course of the  
5 program year and the total number of children who  
6 left the program during the program year.

7 (ii) Number of planned transitions to another  
8 program due to children's behavior, by children's  
9 race, gender, disability, language, class/group  
10 size, teacher-child ratio, and length of program  
11 day.

12 (iii) Number of temporary removals of a child  
13 from attendance in group settings due to a serious  
14 safety threat under subparagraph (E) of this  
15 paragraph (7), by children's race, gender,  
16 disability, language, class/group size,  
17 teacher-child ratio, and length of program day.

18 (iv) Hours of infant and early childhood  
19 mental health consultant contact with program  
20 leaders, staff, and families over the program  
21 year.

22 (G-5) On and after July 1, 2026, early childhood  
23 programs shall annually report to the Department of  
24 Early Childhood, and beginning in fiscal year 2028,  
25 the Department of Early Childhood shall make available  
26 on a biennial basis, in a report, all of the following

1 data for children from birth to age 5 who are served by  
2 the program:

3 (i) Total number served over the course of the  
4 program year and the total number of children who  
5 left the program during the program year.

6 (ii) Number of planned transitions to another  
7 program due to children's behavior, by children's  
8 race, gender, disability, language, class/group  
9 size, teacher-child ratio, and length of program  
10 day.

11 (iii) Number of temporary removals of a child  
12 from attendance in group settings due to a serious  
13 safety threat under subparagraph (E) of this  
14 paragraph (7), by children's race, gender,  
15 disability, language, class/group size,  
16 teacher-child ratio, and length of program day.

17 (iv) Hours of infant and early childhood  
18 mental health consultant contact with program  
19 leaders, staff, and families over the program  
20 year.

21 (H) Changes to services for children with an  
22 individualized education program or individual family  
23 service plan shall be construed in a manner consistent  
24 with the federal Individuals with Disabilities  
25 Education Act.

26 The Department of Early Childhood, in consultation

1 with the Department of Children and Family Services, shall  
2 adopt rules to administer this paragraph (7).

3 (8) Due to evidence that suspension practices in the  
4 preschool years are linked to poor child outcomes and are  
5 employed inconsistently across racial and gender groups,  
6 early childhood programs receiving State funds under this  
7 subsection (a) shall restrict suspensions. Planned  
8 transitions to settings that are able to better meet a  
9 child's needs are not considered suspension under this  
10 paragraph (8). In no case may the decision to suspend a  
11 student in preschool for 3 or more days be made by anyone  
12 other than the superintendent of the school district,  
13 director of an early childhood program, or their  
14 equivalent nor may the length of the suspension for any  
15 student in preschool be for longer than the number of days  
16 required by the school district or early childhood program  
17 to develop and implement a behavior intervention plan or  
18 safety plan.

19 (b) (Blank).

20 (c) Notwithstanding any other provisions of this Section,  
21 grantees may serve children ages 0 to 12 of essential workers  
22 if the Governor has declared a disaster due to a public health  
23 emergency pursuant to Section 7 of the Illinois Emergency  
24 Management Agency Act. For the purposes of this subsection,  
25 essential workers include those outlined in Executive Order  
26 20-8 and school employees. The State Board of Education shall

1 adopt rules to administer this subsection.

2 (d) Paragraphs (a)(1), (a)(1.5), (a)(4.5), (a)(5),  
3 (a)(5.1), (a)(6), (a)(6.1), and (a)(7) and subsection (c) of  
4 this Section are inoperative on and after July 1, 2026.

5 (Source: P.A. 103-111, eff. 6-29-23; 103-594, eff. 6-25-24.)

6 (105 ILCS 5/2-3.162)

7 Sec. 2-3.162. Student discipline report; school discipline  
8 improvement plan.

9 (a) On or before October 31, 2015 and on or before October  
10 31 of each subsequent year, the State Board of Education,  
11 through the State Superintendent of Education, shall prepare a  
12 report on student discipline in all school districts in this  
13 State, including State-authorized charter schools. This report  
14 shall include data from all public schools within school  
15 districts, including district-authorized charter schools. This  
16 report must be posted on the Internet website of the State  
17 Board of Education. The report shall include data on the  
18 issuance of out-of-school suspensions, expulsions, and  
19 removals to alternative settings in lieu of another  
20 disciplinary action, disaggregated by race and ethnicity,  
21 gender, age, grade level, whether a student is an English  
22 learner, incident type, and discipline duration. Such data  
23 shall be reported to the State Board of Education annually by  
24 all school districts in this State, including State-authorized  
25 charter schools, in a form and manner as specified by the State



1 Board of Education, no later than July 31 for the previous  
2 school year, and by July 31 of each year thereafter.

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

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

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

15 (3) Racial disproportionality, defined as the  
16 overrepresentation of students of color or white students  
17 in comparison to the total number of students of color or  
18 white students on October 1st of the school year in which  
19 data are collected, with respect to the use of  
20 out-of-school suspensions and expulsions, which must be  
21 calculated using the same method as the U.S. Department of  
22 Education's Office for Civil Rights uses.

23 The analysis must be based on data collected over 3  
24 consecutive school years, beginning with the 2014-2015 school  
25 year.

26 Beginning with the 2017-2018 school year, the State Board

1 of Education shall require each of the school districts that  
2 are identified in the top 20% of any of the metrics described  
3 in this subsection (b) for 3 consecutive years to submit a plan  
4 identifying the strategies the school district will implement  
5 to reduce the use of exclusionary disciplinary practices or  
6 racial disproportionality or both, if applicable. School  
7 districts that no longer meet the criteria described in any of  
8 the metrics described in this subsection (b) for 3 consecutive  
9 years shall no longer be required to submit a plan.

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

12 The calculation of the top 20% of any of the metrics  
13 described in this subsection (b) shall exclude all school  
14 districts, State-authorized charter schools, and special  
15 charter districts that issued fewer than a total of 10  
16 out-of-school suspensions or expulsions, whichever is  
17 applicable, during the school year. The calculation of the top  
18 20% of the metric described in subdivision (3) of this  
19 subsection (b) shall exclude all school districts with an  
20 enrollment of fewer than 50 white students or fewer than 50  
21 students of color.

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

1 implementation of the plan and the results achieved.

2 (Source: P.A. 99-30, eff. 7-10-15; 99-78, eff. 7-20-15;  
3 100-863, eff. 8-14-18.)

4 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

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

6 Sec. 10-22.6. Suspension or expulsion of students; school  
7 searches.

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

1 is in the best interest of the school. The expulsion decision  
2 shall also include a rationale as to the specific duration of  
3 the expulsion. An expelled student may be immediately  
4 transferred to an alternative program in the manner provided  
5 in Article 13A or 13B of this Code. A student must not be  
6 denied transfer because of the expulsion, except in cases in  
7 which such transfer is deemed to cause a threat to the safety  
8 of students or staff in the alternative program.

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

24 Any suspension shall be reported immediately to the  
25 parents or guardian of a student along with a full statement of  
26 the reasons for such suspension and a notice of their right to

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

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

1 recommended that school officials consider forms of  
2 non-exclusionary discipline prior to using out-of-school  
3 suspensions or expulsions.

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

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

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

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

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

26 A school district may refer students who are expelled to

1 appropriate and available support services.

2 A school district shall create a policy to facilitate the  
3 re-engagement of students who are suspended out-of-school,  
4 expelled, or returning from an alternative school setting. 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 the re-engagement of students who are  
8 suspended out-of-school, expelled, or returning from an  
9 alternative school setting in accordance with this Section and  
10 Section 13A-4 on or before July 1, 2025.

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

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

23 (c-5) School districts shall make reasonable efforts to  
24 provide ongoing professional development to all school  
25 personnel, school board members, and school resource officers,  
26 on the requirements of this Section and Section 10-20.14, the



1 adverse consequences of school exclusion and justice-system  
2 involvement, effective classroom management strategies,  
3 culturally responsive discipline, trauma-responsive learning  
4 environments, as defined in subsection (b) of Section 3-11,  
5 the appropriate and available supportive services for the  
6 promotion of student attendance and engagement, and  
7 developmentally appropriate disciplinary methods that promote  
8 positive and healthy school climates.

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

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

25 (2) A knife, brass knuckles or other knuckle weapon  
26 regardless of its composition, a billy club, or any other

1 object if used or attempted to be used to cause bodily  
2 harm, including "look alike" of any firearm as defined in  
3 subdivision (1) of this subsection (d). The expulsion  
4 requirement under this subdivision (2) may be modified by  
5 the superintendent, and the superintendent's determination  
6 may be modified by the board on a case-by-case basis.

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

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

1 the safety and security of the threatened individual because  
2 of the individual's duties or employment status or status as a  
3 student inside the school.

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

26 (f) Suspension or expulsion may include suspension or

1 expulsion from school and all school activities and a  
2 prohibition from being present on school grounds.

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

12 (h) School officials shall not advise or encourage  
13 students to drop out voluntarily due to behavioral or academic  
14 difficulties.

15 (i) A student may not be issued a monetary fine or fee as a  
16 disciplinary consequence, though this shall not preclude  
17 requiring a student to provide restitution for lost, stolen,  
18 or damaged property.

19 (j) Subsections (a) through (i) of this Section shall  
20 apply to elementary and secondary schools, charter schools,  
21 special charter districts, and school districts organized  
22 under Article 34 of this Code.

23 (k) The expulsion of students enrolled in programs funded  
24 under Section 1C-2 of this Code is subject to the requirements  
25 under paragraph (7) of subsection (a) of Section 2-3.71 of  
26 this Code.

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

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

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

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

(a) To expel students in grades 3 through 12 or, if required by federal or State law, students in kindergarten through grade 2 guilty of gross disobedience or misconduct, including gross disobedience or misconduct perpetuated by electronic means, pursuant to subsection (b-20) of this Section, and no action shall lie against them for such expulsion. Unless otherwise required by federal or State law, in no case may a school board expel a student in kindergarten through grade 2. Subject to this grade level restriction, expulsion ~~Expulsion~~ shall take place only after the parents or guardians have been requested to appear at a meeting of the board, or with a hearing officer appointed by it, to discuss their child's behavior. Such request shall be made by

1 registered or certified mail and shall state the time, place  
2 and purpose of the meeting. The board, or a hearing officer  
3 appointed by it, at such meeting shall state the reasons for  
4 dismissal and the date on which the expulsion is to become  
5 effective. If a hearing officer is appointed by the board, the  
6 hearing officer shall report to the board a written summary of  
7 the evidence heard at the meeting and the board may take such  
8 action thereon as it finds appropriate. If the board acts to  
9 expel a student, the written expulsion decision shall detail  
10 the specific reasons why removing the student from the  
11 learning environment is in the best interest of the school.  
12 The expulsion decision shall also include a rationale as to  
13 the specific duration of the expulsion. An expelled student  
14 may be immediately transferred to an alternative program in  
15 the manner provided in Article 13A or 13B of this Code. A  
16 student must not be denied transfer because of the expulsion,  
17 except in cases in which such transfer is deemed to cause a  
18 threat to the safety of students or staff in the alternative  
19 program.

20 (b) For students in grades 3 through 12, to ~~to~~ suspend or  
21 by policy to authorize the superintendent of the district or  
22 the principal, assistant principal, or dean of students of any  
23 school to suspend students guilty of gross disobedience or  
24 misconduct, or to suspend students guilty of gross  
25 disobedience or misconduct on the school bus from riding the  
26 school bus, pursuant to subsections (b-15) and (b-20) of this

1 Section, and no action shall lie against them for such  
2 suspension. The board may by policy authorize the  
3 superintendent of the district or the principal, assistant  
4 principal, or dean of students of any school to suspend  
5 students guilty of such acts for a period not to exceed 10  
6 school days. If a student is suspended due to gross  
7 disobedience or misconduct on a school bus, the board may  
8 suspend the student in excess of 10 school days for safety  
9 reasons. Notwithstanding anything to the contrary in this  
10 Section, in no case may the decision to suspend a student in  
11 kindergarten through grade 2 for 3 or more days be made by  
12 anyone other than the superintendent of the district nor may  
13 the length of the suspension for any student in kindergarten  
14 through grade 2 be for longer than the number of days required  
15 by the district to develop and implement a behavior  
16 intervention plan or safety plan.

17 Any suspension shall be reported immediately to the  
18 parents or guardians of a student along with a full statement  
19 of the reasons for such suspension and a notice of their right  
20 to a review. The school board must be given a summary of the  
21 notice, including the reason for the suspension and the  
22 suspension length. Upon request of the parents or guardians,  
23 the school board or a hearing officer appointed by it shall  
24 review such action of the superintendent or principal,  
25 assistant principal, or dean of students. At such review, the  
26 parents or guardians of the student may appear and discuss the

1 suspension with the board or its hearing officer. If a hearing  
2 officer is appointed by the board, he shall report to the board  
3 a written summary of the evidence heard at the meeting. After  
4 its hearing or upon receipt of the written report of its  
5 hearing officer, the board may take such action as it finds  
6 appropriate. If a student is suspended pursuant to this  
7 subsection (b), the board shall, in the written suspension  
8 decision, detail the specific act of gross disobedience or  
9 misconduct resulting in the decision to suspend. The  
10 suspension decision shall also include a rationale as to the  
11 specific duration of the suspension. A student who is  
12 suspended in excess of 20 school days may be immediately  
13 transferred to an alternative program in the manner provided  
14 in Article 13A or 13B of this Code, subject to the restrictions  
15 for transfer set forth therein. A student shall not be denied  
16 transfer because of the suspension, except in cases in which  
17 such transfer is deemed to cause a threat to the safety of  
18 students or staff in the alternative program.

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



1 recommended that school officials consider forms of  
2 non-exclusionary discipline prior to using out-of-school  
3 suspensions or expulsions.

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

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

18 (b-20) Unless otherwise required by this Code,  
19 out-of-school suspensions of longer than 3 days, expulsions  
20 for students in grades 3 through 12 or, if required by federal  
21 or State law, expulsions for students in kindergarten through  
22 grade 2, and disciplinary removals to alternative schools for  
23 students who meet the grade level restrictions set forth in  
24 Articles 13A and 13B may be used only if other appropriate and  
25 available behavioral and disciplinary interventions have been  
26 exhausted and the student's continuing presence in school

1 would either (i) pose a threat to the safety of other students,  
2 staff, or members of the school community or (ii)  
3 substantially disrupt, impede, or interfere with the operation  
4 of the school. For purposes of this subsection (b-20), "threat  
5 to the safety of other students, staff, or members of the  
6 school community" and "substantially disrupt, impede, or  
7 interfere with the operation of the school" shall be  
8 determined on a case-by-case basis by school officials. For  
9 purposes of this subsection (b-20), the determination of  
10 whether "appropriate and available behavioral and disciplinary  
11 interventions have been exhausted" shall be made by school  
12 officials. School officials shall make all reasonable efforts  
13 to resolve such threats, address such disruptions, and  
14 minimize the length of student exclusions to the greatest  
15 extent practicable. Within the suspension decision described  
16 in subsection (b) of this Section or the expulsion decision  
17 described in subsection (a) of this Section, it shall be  
18 documented whether other interventions were attempted or  
19 whether it was determined that there were no other appropriate  
20 and available interventions.

21 (b-25) Students who are suspended out-of-school for longer  
22 than 3 school days shall be provided appropriate and available  
23 support services during the period of their suspension. For  
24 purposes of this subsection (b-25), "appropriate and available  
25 support services" shall be determined by school authorities.  
26 Within the suspension decision described in subsection (b) of

1 this Section, it shall be documented whether such services are  
2 to be provided or whether it was determined that there are no  
3 such appropriate and available services.

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

6 A school district shall create a policy to facilitate the  
7 re-engagement of students who are suspended out-of-school,  
8 expelled, or returning from an alternative school setting. In  
9 consultation with stakeholders deemed appropriate by the State  
10 Board of Education, the State Board of Education shall draft  
11 and publish guidance for the re-engagement of students who are  
12 suspended out-of-school, expelled, or returning from an  
13 alternative school setting in accordance with this Section and  
14 Section 13A-4 on or before July 1, 2025.

15 (b-30) A school district shall create a policy by which  
16 suspended students, including those students suspended from  
17 the school bus who do not have alternate transportation to  
18 school, shall have the opportunity to make up work for  
19 equivalent academic credit. It shall be the responsibility of  
20 a student's parents or guardians to notify school officials  
21 that a student suspended from the school bus does not have  
22 alternate transportation to school.

23 (b-35) In all suspension review hearings conducted under  
24 subsection (b) or expulsion hearings conducted under  
25 subsection (a), a student may disclose any factor to be  
26 considered in mitigation, including his or her status as a

1 parent, expectant parent, or victim of domestic or sexual  
2 violence, as defined in Article 26A. A representative of the  
3 parent's or guardian's choice, or of the student's choice if  
4 emancipated, must be permitted to represent the student  
5 throughout the proceedings and to address the school board or  
6 its appointed hearing officer. With the approval of the  
7 student's parent or guardian, or of the student if  
8 emancipated, a support person must be permitted to accompany  
9 the student to any disciplinary hearings or proceedings. The  
10 representative or support person must comply with any rules of  
11 the school district's hearing process. If the representative  
12 or support person violates the rules or engages in behavior or  
13 advocacy that harasses, abuses, or intimidates either party, a  
14 witness, or anyone else in attendance at the hearing, the  
15 representative or support person may be prohibited from  
16 further participation in the hearing or proceeding. A  
17 suspension or expulsion proceeding under this subsection  
18 (b-35) must be conducted independently from any ongoing  
19 criminal investigation or proceeding, and an absence of  
20 pending or possible criminal charges, criminal investigations,  
21 or proceedings may not be a factor in school disciplinary  
22 decisions.

23 (b-40) During a suspension review hearing conducted under  
24 subsection (b) or an expulsion hearing conducted under  
25 subsection (a) that involves allegations of sexual violence by  
26 the student who is subject to discipline, neither the student

1 nor his or her representative shall directly question nor have  
2 direct contact with the alleged victim. The student who is  
3 subject to discipline or his or her representative may, at the  
4 discretion and direction of the school board or its appointed  
5 hearing officer, suggest questions to be posed by the school  
6 board or its appointed hearing officer to the alleged victim.

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

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

23 (d) The board may expel a student in grades 3 through 12  
24 or, if required by federal or State law, a student in  
25 kindergarten through grade 2 for a definite period of time not  
26 to exceed 2 calendar years, as determined on a case-by-case

1 basis. A student who is determined to have brought one of the  
2 following objects to school, any school-sponsored activity or  
3 event, or any activity or event that bears a reasonable  
4 relationship to school shall be expelled for a period of not  
5 less than one year:

6 (1) A firearm. For the purposes of this Section,  
7 "firearm" means any gun, rifle, shotgun, weapon as defined  
8 by Section 921 of Title 18 of the United States Code,  
9 firearm as defined in Section 1.1 of the Firearm Owners  
10 Identification Card Act, or firearm as defined in Section  
11 24-1 of the Criminal Code of 2012. The expulsion period  
12 under this subdivision (1) may be modified by the  
13 superintendent, and the superintendent's determination may  
14 be modified by the board on a case-by-case basis.

15 (2) A knife, brass knuckles or other knuckle weapon  
16 regardless of its composition, a billy club, or any other  
17 object if used or attempted to be used to cause bodily  
18 harm, including "look alikes" of any firearm as defined in  
19 subdivision (1) of this subsection (d). The expulsion  
20 requirement under this subdivision (2) may be modified by  
21 the superintendent, and the superintendent's determination  
22 may be modified by the board on a case-by-case basis.

23 Expulsion or suspension shall be construed in a manner  
24 consistent with the federal Individuals with Disabilities  
25 Education Act. A student who is subject to suspension or  
26 expulsion as provided in this Section may be eligible for a

1 transfer to an alternative school program in accordance with  
2 Article 13A of the School Code.

3 (d-5) For a student in grades 3 through 12, the ~~The~~ board  
4 may suspend or by regulation authorize the superintendent of  
5 the district or the principal, assistant principal, or dean of  
6 students of any school to suspend, for a student in  
7 kindergarten through grade 2, the board may suspend or by  
8 regulation authorize the superintendent of the district to  
9 suspend a student for a period not to exceed 10 school days or  
10 may expel a student in grades 3 through 12 or, if required by  
11 federal or State law, a student in kindergarten through grade  
12 2 for a definite period of time not to exceed 2 calendar years,  
13 as determined on a case-by-case basis, if (i) that student has  
14 been determined to have made an explicit threat on an Internet  
15 website against a school employee, a student, or any  
16 school-related personnel, (ii) the Internet website through  
17 which the threat was made is a site that was accessible within  
18 the school at the time the threat was made or was available to  
19 third parties who worked or studied within the school grounds  
20 at the time the threat was made, and (iii) the threat could be  
21 reasonably interpreted as threatening to the safety and  
22 security of the threatened individual because of the  
23 individual's duties or employment status or status as a  
24 student inside the school.

25 (e) To maintain order and security in the schools, school  
26 authorities may inspect and search places and areas such as

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

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

24 (g) A school district may adopt a policy providing that if  
25 a student is suspended or expelled for any reason from any  
26 public or private school in this or any other state, the



1 student must complete the entire term of the suspension or  
2 expulsion in an alternative school program under Article 13A  
3 of this Code or an alternative learning opportunities program  
4 under Article 13B of this Code before being admitted into the  
5 school district if there is no threat to the safety of students  
6 or staff in the alternative program. A school district that  
7 adopts a policy under this subsection (g) must include a  
8 provision allowing for consideration of any mitigating  
9 factors, including, but not limited to, a student's status as  
10 a parent, expectant parent, or victim of domestic or sexual  
11 violence, as defined in Article 26A.

12 (h) School officials shall not advise or encourage  
13 students to drop out voluntarily due to behavioral or academic  
14 difficulties.

15 (i) A student may not be issued a monetary fine or fee as a  
16 disciplinary consequence, though this shall not preclude  
17 requiring a student to provide restitution for lost, stolen,  
18 or damaged property.

19 (j) Subsections (a) through (i) of this Section shall  
20 apply to elementary and secondary schools, charter schools,  
21 special charter districts, and school districts organized  
22 under Article 34 of this Code.

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

1 (k-5) On and after July 1, 2026, the expulsion of children  
2 enrolled in programs funded under Section 15-25 of the  
3 Department of Early Childhood Act is subject to the  
4 requirements of paragraph (7) of subsection (a) of Section  
5 15-30 of the Department of Early Childhood Act. The suspension  
6 of students enrolled in programs funded under Section 1C-2 of  
7 this Code is subject to the requirements under paragraph (8)  
8 of subsection (a) of Section 2-3.71 of this Code.

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

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

19 (105 ILCS 5/13B-20.25)

20 Sec. 13B-20.25. Eligible students. Students in  
21 kindergarten ~~grades 4~~ through grade 12 who meet enrollment  
22 criteria established by the school district and who meet the  
23 definition of "student at risk of academic failure" are  
24 eligible to participate in an alternative learning  
25 opportunities program funded under this Article.

1 Notwithstanding any other provision of law to the contrary,  
2 enrollment in a charter alternative learning opportunities  
3 program shall be open to any student ~~pupil~~ who has been  
4 expelled or suspended for more than 20 days under Section  
5 10-22.6 or 34-19 of this Code. All rights granted under this  
6 Article to a student's parent or guardian become exclusively  
7 those of the student upon the student's 18th birthday.

8 (Source: P.A. 97-495, eff. 1-1-12.)

9 (105 ILCS 5/13B-20.30)

10 Sec. 13B-20.30. Location of program. A school district  
11 must consider offering an alternative learning opportunities  
12 program on-site in the regular school. An alternative learning  
13 opportunities program may be provided at facilities separate  
14 from the regular school or in classrooms elsewhere on school  
15 premises. A school district is encouraged to ensure that  
16 educational supports and other services are provided to the  
17 student as part of the student's activities in the classroom  
18 to which the student is originally assigned, unless the nature  
19 of the services dictate otherwise.

20 (Source: P.A. 92-42, eff. 1-1-02.)

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

1 not accelerate or delay the taking effect of (i) the changes  
2 made by this Act or (ii) provisions derived from any other  
3 Public Act.