



Sen. Kimberly A. Lightford

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10400HB3772sam001

LRB104 10321 LNS 25690 a

1 AMENDMENT TO HOUSE BILL 3772

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3772 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing  
5 Sections 2-3.162, 10-22.6, 13B-20.25, 13B-20.30, and 13B-25.5  
6 as follows:

7 (105 ILCS 5/2-3.162)

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

10 (a) On or before October 31, 2015 and on or before October  
11 31 of each subsequent year, the State Board of Education,  
12 through the State Superintendent of Education, shall prepare a  
13 report on student discipline in all school districts in this  
14 State, including State-authorized charter schools. This report  
15 shall include data from all public schools within school  
16 districts, including district-authorized charter schools. This

1 report must be posted on the Internet website of the State  
2 Board of Education. The report shall include data on the  
3 issuance of out-of-school suspensions, expulsions, and  
4 removals to alternative settings in lieu of another  
5 disciplinary action, disaggregated by race and ethnicity,  
6 gender, age, grade level, whether a student is an English  
7 learner, incident type, and discipline duration. On or before  
8 July 31, 2026 and on or before each July 31 thereafter, each  
9 school district, including a State-authorized charter school,  
10 shall report this data to the State Board of Education in the  
11 form and manner prescribed by the State Board of Education.

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

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

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

24 (3) Racial disproportionality, defined as the  
25 overrepresentation of students of color or white students  
26 in comparison to the total number of students of color or

1 white students on October 1st of the school year in which  
2 data are collected, with respect to the use of  
3 out-of-school suspensions and expulsions, which must be  
4 calculated using the same method as the U.S. Department of  
5 Education's Office for Civil Rights uses.

6 The analysis must be based on data collected over 3  
7 consecutive school years, beginning with the 2014-2015 school  
8 year.

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

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

21 The calculation of the top 20% of any of the metrics  
22 described in this subsection (b) shall exclude all school  
23 districts, State-authorized charter schools, and special  
24 charter districts that issued fewer than a total of 10  
25 out-of-school suspensions or expulsions, whichever is  
26 applicable, during the school year. The calculation of the top

1 20% of the metric described in subdivision (3) of this  
2 subsection (b) shall exclude all school districts with an  
3 enrollment of fewer than 50 white students or fewer than 50  
4 students of color.

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

11 (Source: P.A. 99-30, eff. 7-10-15; 99-78, eff. 7-20-15;  
12 100-863, eff. 8-14-18.)

13 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

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

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

17 (a) To expel students guilty of gross disobedience or  
18 misconduct, including gross disobedience or misconduct  
19 perpetuated by electronic means, pursuant to subsection (b-20)  
20 of this Section, and no action shall lie against them for such  
21 expulsion. Expulsion shall take place only after the parents  
22 have been requested to appear at a meeting of the board, or  
23 with a hearing officer appointed by it, to discuss their  
24 child's behavior. Such request shall be made by registered or  
25 certified mail and shall state the time, place and purpose of

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

18 (b) To suspend or by policy to authorize the  
19 superintendent of the district or the principal, assistant  
20 principal, or dean of students of any school to suspend  
21 students guilty of gross disobedience or misconduct, or to  
22 suspend students guilty of gross disobedience or misconduct on  
23 the school bus from riding the school bus, pursuant to  
24 subsections (b-15) and (b-20) of this Section, and no action  
25 shall lie against them for such suspension. The board may by  
26 policy authorize the superintendent of the district or the

1 principal, assistant principal, or dean of students of any  
2 school to suspend students guilty of such acts for a period not  
3 to exceed 10 school days. If a student is suspended due to  
4 gross disobedience or misconduct on a school bus, the board  
5 may suspend the student in excess of 10 school days for safety  
6 reasons.

7 Any suspension shall be reported immediately to the  
8 parents or guardian of a student along with a full statement of  
9 the reasons for such suspension and a notice of their right to  
10 a review. The school board must be given a summary of the  
11 notice, including the reason for the suspension and the  
12 suspension length. Upon request of the parents or guardian,  
13 the school board or a hearing officer appointed by it shall  
14 review such action of the superintendent or principal,  
15 assistant principal, or dean of students. At such review, the  
16 parents or guardian of the student may appear and discuss the  
17 suspension with the board or its hearing officer. If a hearing  
18 officer is appointed by the board, he shall report to the board  
19 a written summary of the evidence heard at the meeting. After  
20 its hearing or upon receipt of the written report of its  
21 hearing officer, the board may take such action as it finds  
22 appropriate. If a student is suspended pursuant to this  
23 subsection (b), the board shall, in the written suspension  
24 decision, detail the specific act of gross disobedience or  
25 misconduct resulting in the decision to suspend. The  
26 suspension decision shall also include a rationale as to the

1 specific duration of the suspension.

2 (b-5) Among the many possible disciplinary interventions  
3 and consequences available to school officials, school  
4 exclusions, such as out-of-school suspensions and expulsions,  
5 are the most serious. School officials shall limit the number  
6 and duration of expulsions and suspensions to the greatest  
7 extent practicable, and it is recommended that they use them  
8 only for legitimate educational purposes. To ensure that  
9 students are not excluded from school unnecessarily, it is  
10 recommended that school officials consider forms of  
11 non-exclusionary discipline prior to using out-of-school  
12 suspensions or expulsions.

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

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

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

26 (b-25) Students who are suspended out-of-school for longer

1 than 3 school days shall be provided appropriate and available  
2 support services during the period of their suspension. For  
3 purposes of this subsection (b-25), "appropriate and available  
4 support services" shall be determined by school authorities.  
5 Within the suspension decision described in subsection (b) of  
6 this Section, it shall be documented whether such services are  
7 to be provided or whether it was determined that there are no  
8 such appropriate and available services.

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

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

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

1 alternate transportation to school.

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

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

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

25 (1) A firearm. For the purposes of this Section,  
26 "firearm" means any gun, rifle, shotgun, weapon as defined

1 by Section 921 of Title 18 of the United States Code,  
2 firearm as defined in Section 1.1 of the Firearm Owners  
3 Identification Card Act, or firearm as defined in Section  
4 24-1 of the Criminal Code of 2012. The expulsion period  
5 under this subdivision (1) may be modified by the  
6 superintendent, and the superintendent's determination may  
7 be modified by the board on a case-by-case basis.

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

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

22 (d-5) The board may suspend or by regulation authorize the  
23 superintendent of the district or the principal, assistant  
24 principal, or dean of students of any school to suspend a  
25 student for a period not to exceed 10 school days or may expel  
26 a student for a definite period of time not to exceed 2

1 calendar years, as determined on a case-by-case basis, if (i)  
2 that student has been determined to have made an explicit  
3 threat on an Internet website against a school employee, a  
4 student, or any school-related personnel, (ii) the Internet  
5 website through which the threat was made is a site that was  
6 accessible within the school at the time the threat was made or  
7 was available to third parties who worked or studied within  
8 the school grounds at the time the threat was made, and (iii)  
9 the threat could be reasonably interpreted as threatening to  
10 the safety and security of the threatened individual because  
11 of the individual's duties or employment status or status as a  
12 student inside the school.

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

1 illegal or dangerous substances or materials, including  
2 searches conducted through the use of specially trained dogs.  
3 If a search conducted in accordance with this Section produces  
4 evidence that the student has violated or is violating either  
5 the law, local ordinance, or the school's policies or rules,  
6 such evidence may be seized by school authorities, and  
7 disciplinary action may be taken. School authorities may also  
8 turn over such evidence to law enforcement authorities.

9 (f) Suspension or expulsion may include suspension or  
10 expulsion from school and all school activities and a  
11 prohibition from being present on school grounds.

12 (g) A school district may adopt a policy providing that if  
13 a student is suspended or expelled for any reason from any  
14 public or private school in this or any other state, the  
15 student must complete the entire term of the suspension or  
16 expulsion in an alternative school program under Article 13A  
17 of this Code or an alternative learning opportunities program  
18 under Article 13B of this Code before being admitted into the  
19 school district if there is no threat to the safety of students  
20 or staff in the alternative program.

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

24 (i) A student may not be issued a monetary fine or fee as a  
25 disciplinary consequence, though this shall not preclude  
26 requiring a student to provide restitution for lost, stolen,

1 or damaged property.

2 (j) Subsections (a) through (i) of this Section shall  
3 apply to elementary and secondary schools, charter schools,  
4 special charter districts, and school districts organized  
5 under Article 34 of this Code.

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

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. 102-539, eff. 8-20-21; 102-813, eff. 5-13-22;  
18 103-594, eff. 6-25-24; 103-896, eff. 8-9-24; revised 9-25-24.)

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

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

22 (a) To expel students in grades 3 through 12 guilty of  
23 gross disobedience or misconduct, including gross disobedience  
24 or misconduct perpetuated by electronic means, pursuant to  
25 subsection (b-20) of this Section, and no action shall lie

1 against them for such expulsion. Unless otherwise required by  
2 subsection (d), in no case may a school board expel a student  
3 in kindergarten through grade 2. Subject to this grade-level  
4 restriction, expulsion ~~Expulsion~~ shall take place only after  
5 the parents or guardians have been requested to appear at a  
6 meeting of the board, or with a hearing officer appointed by  
7 it, to discuss their child's behavior. Such request shall be  
8 made by registered or certified mail and shall state the time,  
9 place and purpose of the meeting. The board, or a hearing  
10 officer appointed by it, at such meeting shall state the  
11 reasons for dismissal and the date on which the expulsion is to  
12 become effective. If a hearing officer is appointed by the  
13 board, the hearing officer shall report to the board a written  
14 summary of the evidence heard at the meeting and the board may  
15 take such action thereon as it finds appropriate. If the board  
16 acts to expel a student, the written expulsion decision shall  
17 detail the specific reasons why removing the student from the  
18 learning environment is in the best interest of the school.  
19 The expulsion decision shall also include a rationale as to  
20 the specific duration of the expulsion. An expelled student  
21 may be immediately transferred to an alternative program in  
22 the manner provided in Article 13A or 13B of this Code. A  
23 student must not be denied transfer because of the expulsion,  
24 except in cases in which such transfer is deemed to cause a  
25 threat to the safety of students or staff in the alternative  
26 program.

1 (b) To suspend or by policy to authorize the  
2 superintendent of the district or the principal, assistant  
3 principal, or dean of students of any school to suspend  
4 students guilty of gross disobedience or misconduct, or to  
5 suspend students guilty of gross disobedience or misconduct on  
6 the school bus from riding the school bus, pursuant to  
7 subsections (b-15) and (b-20) of this Section, and no action  
8 shall lie against them for such suspension. The board may by  
9 policy authorize the superintendent of the district or the  
10 principal, assistant principal, or dean of students of any  
11 school to suspend students guilty of such acts for a period not  
12 to exceed 10 school days. If a student is suspended due to  
13 gross disobedience or misconduct on a school bus, the board  
14 may suspend the student in excess of 10 school days for safety  
15 reasons. The superintendent of the school district shall be  
16 required to provide verbal or written approval to suspend a  
17 student in kindergarten through grade 2 for longer than 3  
18 days. If superintendent approval is not received by the third  
19 day, the student shall return to school by the fourth day. The  
20 length of the suspension for any student in kindergarten  
21 through grade 2 may not be for longer than the number of days  
22 required by the district to develop and implement a behavior  
23 intervention plan or safety plan.

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

1 to 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 guardians,  
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 guardians 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 subsection (d) ~~federal~~  
5 ~~law or this Code~~, school boards may not institute  
6 zero-tolerance policies by which school administrators are  
7 required to suspend or expel students for particular  
8 behaviors.

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

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

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

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

1 Within the suspension decision described in subsection (b) of  
2 this Section, it shall be documented whether such services are  
3 to be provided or whether it was determined that there are no  
4 such appropriate and available services. The superintendent of  
5 the school district shall be required to provide verbal or  
6 written approval to suspend a student in kindergarten through  
7 grade 2 for longer than 3 days. If superintendent approval is  
8 not received by the third day, the student shall return to  
9 school by the fourth day.

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

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

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

1 that a student suspended from the school bus does not have  
2 alternate transportation to school.

3 (b-35) In all suspension review hearings conducted under  
4 subsection (b) or expulsion hearings conducted under  
5 subsection (a), a student may disclose any factor to be  
6 considered in mitigation, including his or her status as a  
7 parent, expectant parent, or victim of domestic or sexual  
8 violence, as defined in Article 26A. A representative of the  
9 parent's or guardian's choice, or of the student's choice if  
10 emancipated, must be permitted to represent the student  
11 throughout the proceedings and to address the school board or  
12 its appointed hearing officer. With the approval of the  
13 student's parent or guardian, or of the student if  
14 emancipated, a support person must be permitted to accompany  
15 the student to any disciplinary hearings or proceedings. The  
16 representative or support person must comply with any rules of  
17 the school district's hearing process. If the representative  
18 or support person violates the rules or engages in behavior or  
19 advocacy that harasses, abuses, or intimidates either party, a  
20 witness, or anyone else in attendance at the hearing, the  
21 representative or support person may be prohibited from  
22 further participation in the hearing or proceeding. A  
23 suspension or expulsion proceeding under this subsection  
24 (b-35) must be conducted independently from any ongoing  
25 criminal investigation or proceeding, and an absence of  
26 pending or possible criminal charges, criminal investigations,

1 or proceedings may not be a factor in school disciplinary  
2 decisions.

3 (b-40) During a suspension review hearing conducted under  
4 subsection (b) or an expulsion hearing conducted under  
5 subsection (a) that involves allegations of sexual violence by  
6 the student who is subject to discipline, neither the student  
7 nor his or her representative shall directly question nor have  
8 direct contact with the alleged victim. The student who is  
9 subject to discipline or his or her representative may, at the  
10 discretion and direction of the school board or its appointed  
11 hearing officer, suggest questions to be posed by the school  
12 board or its appointed hearing officer to the alleged victim.

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

17 (c-5) School districts shall make reasonable efforts to  
18 provide ongoing professional development to all school  
19 personnel, school board members, and school resource officers  
20 on the requirements of this Section and Section 10-20.14, the  
21 adverse consequences of school exclusion and justice-system  
22 involvement, effective classroom management strategies,  
23 culturally responsive discipline, trauma-responsive learning  
24 environments, as defined in subsection (b) of Section 3-11,  
25 the appropriate and available supportive services for the  
26 promotion of student attendance and engagement, and

1 developmentally appropriate disciplinary methods that promote  
2 positive and healthy school climates.

3 (d) The board may expel a student in grades 3 through 12  
4 for a definite period of time not to exceed 2 calendar years,  
5 as determined on a case-by-case basis. In no case may a student  
6 expelled under this Section be expelled for a period exceeding  
7 2 calendar years. A student in kindergarten through grade 12  
8 who is determined to have brought or possessed one of the  
9 following objects to or at school, any school-sponsored  
10 activity or event, or any activity or event that bears a  
11 reasonable relationship to school shall be expelled for a  
12 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  
19 requirement ~~period~~ under this subdivision (1) may be  
20 modified by the superintendent if such modification is in  
21 writing, and the superintendent's determination may be  
22 modified by the board on a case-by-case basis if such  
23 modification is in writing.

24 (2) A knife, brass knuckles or other knuckle weapon  
25 regardless of its composition, a billy club, or any other  
26 object if used or attempted to be used to cause bodily

1       harm, including "look alike" of any firearm as defined in  
2       subdivision (1) of this subsection (d). For purposes of  
3       this subdivision (2), "bodily harm" means an injury that  
4       involves a substantial risk of death, protracted and  
5       obvious disfigurement, or protracted loss or impairment of  
6       the function of a bodily member or organ. The expulsion  
7       requirement under this subdivision (2) may be modified by  
8       the superintendent, and the superintendent's determination  
9       may be modified by the board on a case-by-case basis. The  
10      board may not expel a student in kindergarten through  
11      grade 2 under this subdivision (2) unless the student is  
12      determined to have brought the object with the intent to  
13      cause bodily harm.

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

20      (d-5) The board, for a student in grades 3 through 12, may  
21      suspend or, by regulation, authorize the superintendent of the  
22      district or the principal, assistant principal, or dean of  
23      students of any school to suspend or, for a student in  
24      kindergarten through grade 2, may suspend or, by regulation,  
25      authorize the superintendent of the district to suspend a  
26      student for a period not to exceed 10 school days or may expel

1 a student in grades 3 through 12 or, if required by subsection  
2 (d), a student in kindergarten through grade 2 for a definite  
3 period of time not to exceed 2 calendar years, as determined on  
4 a case-by-case basis, if (i) that student has been determined  
5 to have made an explicit threat on an Internet website against  
6 a school employee, a student, or any school-related personnel,  
7 (ii) the Internet website through which the threat was made is  
8 a site that was accessible within the school at the time the  
9 threat was made or was available to third parties who worked or  
10 studied within the school grounds at the time the threat was  
11 made, and (iii) the threat could be reasonably interpreted as  
12 threatening to the safety and security of the threatened  
13 individual because of the individual's duties or employment  
14 status or status as a student inside the school.

15 (e) To maintain order and security in the schools, school  
16 authorities may inspect and search places and areas such as  
17 lockers, desks, parking lots, and other school property and  
18 equipment owned or controlled by the school, as well as  
19 personal effects left in those places and areas by students,  
20 without notice to or the consent of the student, and without a  
21 search warrant. As a matter of public policy, the General  
22 Assembly finds that students have no reasonable expectation of  
23 privacy in these places and areas or in their personal effects  
24 left in these places and areas. School authorities may request  
25 the assistance of law enforcement officials for the purpose of  
26 conducting inspections and searches of lockers, desks, parking

1 lots, and other school property and equipment owned or  
2 controlled by the school for illegal drugs, weapons, or other  
3 illegal or dangerous substances or materials, including  
4 searches conducted through the use of specially trained dogs.  
5 If a search conducted in accordance with this Section produces  
6 evidence that the student has violated or is violating either  
7 the law, local ordinance, or the school's policies or rules,  
8 such evidence may be seized by school authorities, and  
9 disciplinary action may be taken. School authorities may also  
10 turn over such evidence to law enforcement authorities.

11 (f) Suspension or expulsion may include suspension or  
12 expulsion from school and all school activities and a  
13 prohibition from being present on school grounds.

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

1 violence, as defined in Article 26A.

2 (h) School officials shall not advise or encourage  
3 students to drop out voluntarily due to behavioral or academic  
4 difficulties.

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

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

17 (k-5) On and after July 1, 2026, the expulsion of children  
18 enrolled in programs funded under Section 15-25 of the  
19 Department of Early Childhood Act is subject to the  
20 requirements of paragraph (7) of subsection (a) of Section  
21 15-30 of the Department of Early Childhood Act. The suspension  
22 of students enrolled in programs funded under Section 15-25 of  
23 the Department of Early Childhood Act is subject to the  
24 requirements of paragraph (8) of subsection (a) of Section  
25 15-30 of the Department of Early Childhood Act.

26 (l) An in-school suspension program provided by a school

1 district for any students in kindergarten through grade 12 may  
2 focus on promoting non-violent conflict resolution and  
3 positive interaction with other students and school personnel.

4 A school district may employ a school social worker or a  
5 licensed mental health professional to oversee an in-school  
6 suspension program in kindergarten through grade 12.

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

10 (105 ILCS 5/13B-20.25)

11 Sec. 13B-20.25. Eligible students. Students in  
12 kindergarten ~~grades 4~~ through grade 12 who meet enrollment  
13 criteria established by the school district and who meet the  
14 definition of "student at risk of academic failure" are  
15 eligible to participate in an alternative learning  
16 opportunities program funded under this Article.  
17 Notwithstanding any other provision of law to the contrary,  
18 enrollment in a charter alternative learning opportunities  
19 program shall be open to any student ~~pupil~~ who has been  
20 expelled or suspended ~~for more than 20 days~~ under Section  
21 10-22.6 or 34-19 of this Code. Any student in kindergarten  
22 through grade 2 placed in an out-of-district alternative  
23 learning opportunities program shall have the student's  
24 placement limited to 90 days beginning on the student's first  
25 date of attendance in the program. For students with

1 disabilities, such removal shall be consistent with 34 CFR  
2 300.530.

3 All rights granted under this Article to a student's  
4 parent or guardian become exclusively those of the student  
5 upon the student's 18th birthday.

6 The State Board of Education may adopt rules to clarify  
7 the implementation of this Section.

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; however, in no instance may a student in  
16 kindergarten through grade 5 who is enrolled in an alternative  
17 learning opportunities program participate in that program or  
18 receive services outside of the student's home district except  
19 as otherwise provided in this Section. A district is  
20 encouraged to ensure that educational support and other  
21 services are provided to the student as part of the student's  
22 activities in the classroom to which the student is originally  
23 assigned, unless the nature of the services dictate otherwise.  
24 Any student in kindergarten through grade 2 placed in an  
25 out-of-district alternative learning opportunities program

1 shall have the student's placement limited to 90 days  
2 beginning on the student's first date of attendance in the  
3 program. For students with disabilities, such removal shall be  
4 consistent with 34 CFR 300.530.

5 The State Board of Education may adopt rules to clarify  
6 the implementation of this Section.

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

8 (105 ILCS 5/13B-25.5)

9 Sec. 13B-25.5. General standards for eligibility for  
10 funding. To be eligible for funding, an alternative learning  
11 opportunities program must provide evidence of an  
12 administrative structure, program activities, program staff, a  
13 budget, and a specific curriculum that is consistent with  
14 Illinois Learning Standards but may be different from the  
15 regular school program in terms of location, subject to the  
16 limitations set forth in Section 13B-20.30 of this Code,  
17 length of school day, program sequence, pace, instructional  
18 activities, or any combination of these.

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

20 Section 10. The Department of Early Childhood Act is  
21 amended by changing Section 15-30 as follows:

22 (325 ILCS 3/15-30)

23 Sec. 15-30. Grants for preschool educational programs.

1 (a) Preschool program.

2 (1) Through June 30, 2026, The State Board of  
3 Education shall implement and administer a grant program  
4 to conduct voluntary preschool educational programs for  
5 children ages 3 to 5, which include a parent education  
6 component, pursuant to Section 2-3.71 of the School Code.

7 (2) On and after July 1, 2026, the Department of Early  
8 Childhood shall implement and administer a grant program  
9 for school districts and other eligible entities, as  
10 defined by the Department, to conduct voluntary preschool  
11 educational programs for children ages 3 to 5 which  
12 include a parent education component. A public school  
13 district which receives grants under this subsection may  
14 subcontract with other entities that are eligible to  
15 conduct a preschool educational program. These grants must  
16 be used to supplement, not supplant, funds received from  
17 any other source.

18 (3) Except as otherwise provided under this subsection  
19 (a), any teacher of preschool children in the program  
20 authorized by this subsection shall hold a Professional  
21 Educator License with an early childhood education  
22 endorsement.

23 (3.5) Beginning with the 2018-2019 school year and  
24 until the 2028-2029 school year, an individual may teach  
25 preschool children in an early childhood program under  
26 this Section if he or she holds a Professional Educator

1 License with an early childhood education endorsement or  
2 with short-term approval for early childhood education or  
3 he or she pursues a Professional Educator License and  
4 holds any of the following:

5 (A) An ECE Credential Level of 5 awarded by the  
6 Department of Human Services under the Gateways to  
7 Opportunity Program developed under Section 10-70 of  
8 the Department of Human Services Act.

9 (B) An Educator License with Stipulations with a  
10 transitional bilingual educator endorsement and he or  
11 she has (i) passed an early childhood education  
12 content test or (ii) completed no less than 9 semester  
13 hours of postsecondary coursework in the area of early  
14 childhood education.

15 (4) Through June 30, 2026, the State Board of  
16 Education shall provide the primary source of funding  
17 through appropriations for the program. On and after July  
18 1, 2026, the Department of Early Childhood shall provide  
19 the primary source of funding through appropriations for  
20 the program. Such funds shall be distributed to achieve a  
21 goal of "Preschool for All Children" for the benefit of  
22 all children whose families choose to participate in the  
23 program. Based on available appropriations, newly funded  
24 programs shall be selected through a process giving first  
25 priority to qualified programs serving primarily at-risk  
26 children and second priority to qualified programs serving

1 primarily children with a family income of less than 4  
2 times the poverty guidelines updated periodically in the  
3 Federal Register by the U.S. Department of Health and  
4 Human Services under the authority of 42 U.S.C. 9902(2).  
5 For purposes of this paragraph (4), at-risk children are  
6 those who because of their home and community environment  
7 are subject to such language, cultural, economic and like  
8 disadvantages to cause them to have been determined as a  
9 result of screening procedures to be at risk of academic  
10 failure. Through June 30, 2026, such screening procedures  
11 shall be based on criteria established by the State Board  
12 of Education. On and after July 1, 2026, such screening  
13 procedures shall be based on criteria established by the  
14 Department of Early Childhood. Except as otherwise  
15 provided in this paragraph (4), grantees under the program  
16 must enter into a memorandum of understanding with the  
17 appropriate local Head Start agency. This memorandum must  
18 be entered into no later than 3 months after the award of a  
19 grantee's grant under the program and must address  
20 collaboration between the grantee's program and the local  
21 Head Start agency on certain issues, which shall include  
22 without limitation the following:

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

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

1 (C) service areas;

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

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

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

8 (G) technical assistance;

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

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

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

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

17 (L) providing comprehensive services for the  
18 neediest Illinois children and families. Through June  
19 30, 2026, if the appropriate local Head Start agency  
20 is unable or unwilling to enter into a memorandum of  
21 understanding as required under this paragraph (4),  
22 the memorandum of understanding requirement shall not  
23 apply and the grantee under the program must notify  
24 the State Board of Education in writing of the Head  
25 Start agency's inability or unwillingness. Through  
26 June 30, 2026, the State Board of Education shall

1 compile all such written notices and make them  
2 available to the public. On and after July 1, 2026, if  
3 the appropriate local Head Start agency is unable or  
4 unwilling to enter into a memorandum of understanding  
5 as required under this paragraph (4), the memorandum  
6 of understanding requirement shall not apply and the  
7 grantee under the program must notify the Department  
8 of Early Childhood in writing of the Head Start  
9 agency's inability or unwillingness. The Department of  
10 Early Childhood shall compile all such written notices  
11 and make them available to the public.

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

24 (5.1) On and after July 1, 2026, the Department of  
25 Early Childhood shall develop and provide evaluation  
26 tools, including tests, that school districts and other

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

11 (6) Through June 30, 2026, the State Board of  
12 Education shall report to the General Assembly by November  
13 1, 2018 and every 2 years thereafter on the results and  
14 progress of students who were enrolled in preschool  
15 educational programs, including an assessment of which  
16 programs have been most successful in promoting academic  
17 excellence and alleviating academic failure. Through June  
18 30, 2026, the State Board of Education shall assess the  
19 academic progress of all students who have been enrolled  
20 in preschool educational programs. Through Fiscal Year  
21 2026, on or before November 1 of each fiscal year in which  
22 the General Assembly provides funding for new programs  
23 under paragraph (4) of this Section, the State Board of  
24 Education shall report to the General Assembly on what  
25 percentage of new funding was provided to programs serving  
26 primarily at-risk children, what percentage of new funding

1 was provided to programs serving primarily children with a  
2 family income of less than 4 times the federal poverty  
3 level, and what percentage of new funding was provided to  
4 other programs.

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

25 (7) Due to evidence that expulsion practices in the  
26 preschool years are linked to poor child outcomes and are

1 employed inconsistently across racial and gender groups,  
2 early childhood programs receiving State funds under this  
3 subsection (a) shall prohibit expulsions. Planned  
4 transitions to settings that are able to better meet a  
5 child's needs are not considered expulsion under this  
6 paragraph (7).

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

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

1 provider. The program shall document attempts to  
2 engage these resources, including parent or legal  
3 guardian participation and consent attempted and  
4 obtained. Communication with the parent or legal  
5 guardian shall take place in a culturally and  
6 linguistically competent manner.

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

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

26 (E) In the case of the determination of a serious

1 safety threat to a child or others or in the case of  
2 behaviors listed in subsection (d) of Section 10-22.6  
3 of the School Code, the temporary removal of a child  
4 from attendance in group settings may be used.  
5 Temporary removal of a child from attendance in a  
6 group setting shall trigger the process detailed in  
7 subparagraphs (A), (B), and (C) of this paragraph (7),  
8 with the child placed back in a group setting as  
9 quickly as possible.

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

26 (G) Through June 30, 2026, early childhood

1 programs shall annually report to the State Board of  
2 Education, and, beginning in Fiscal Year 2020, the  
3 State Board of Education shall make available on a  
4 biennial basis, in an existing report, all of the  
5 following data for children from birth to age 5 who are  
6 served by the program:

7 (i) Total number served over the course of the  
8 program year and the total number of children who  
9 left the program during the program year.

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

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

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

25 (G-5) On and after July 1, 2026, early childhood  
26 programs shall annually report to the Department of

1 Early Childhood, and beginning in Fiscal Year 2028,  
2 the Department of Early Childhood shall make available  
3 on a biennial basis, in a report, all of the following  
4 data for children from birth to age 5 who are served by  
5 the program:

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

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

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

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

24 (H) Changes to services for children with an  
25 individualized education program or individual family  
26 service plan shall be construed in a manner consistent

1 with the federal Individuals with Disabilities  
2 Education Act.

3 The Department of Early Childhood, in consultation  
4 with the Department of Children and Family Services, shall  
5 adopt rules to administer this paragraph (7).

6 (8) Due to evidence that suspension practices in the  
7 preschool years are linked to poor child outcomes and are  
8 employed inconsistently across racial and gender groups,  
9 early childhood programs that receive State funds under  
10 this subsection (a) shall restrict suspensions as provided  
11 in this paragraph (8). Planned transitions to settings  
12 that are able to better meet a child's needs are not  
13 considered a suspension for purposes of this paragraph  
14 (8). The superintendent of a school district, the director  
15 of an early childhood program, or the superintendent's or  
16 director's equivalent shall be required to provide verbal  
17 or written approval to suspend a student in preschool for  
18 longer than 3 days. If such approval is not received by the  
19 third day, the student shall return to school by the  
20 fourth day. The length of the suspension for any student  
21 in preschool may not be for longer than the number of days  
22 required by the school district or early childhood program  
23 to develop and implement a behavior intervention plan or  
24 safety plan.

25 (b) Notwithstanding any other provisions of this Section,  
26 grantees may serve children ages 0 to 12 of essential workers

1 if the Governor has declared a disaster due to a public health  
2 emergency pursuant to Section 7 of the Illinois Emergency  
3 Management Agency Act. The Department of Early Childhood may  
4 adopt rules to administer this subsection.

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

6 Section 95. No acceleration or delay. Where this Act makes  
7 changes in a statute that is represented in this Act by text  
8 that is not yet or no longer in effect (for example, a Section  
9 represented by multiple versions), the use of that text does  
10 not accelerate or delay the taking effect of (i) the changes  
11 made by this Act or (ii) provisions derived from any other  
12 Public Act.

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law, except that the provisions changing Section  
15 10-22.6 of the School Code and Section 15-30 of the Department  
16 of Early Childhood Act take effect July 1, 2027.".