



Sen. Kimberly A. Lightford

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10400HB3772sam004

LRB104 10321 LNS 26712 a

1 AMENDMENT TO HOUSE BILL 3772

2 AMENDMENT NO. _____. Amend House Bill 3772, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

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

8 (105 ILCS 5/2-3.162)

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

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

1 districts, including district-authorized charter schools. This
2 report must be posted on the Internet website of the State
3 Board of Education. The report shall include data on the
4 issuance of out-of-school suspensions, expulsions, and
5 removals to alternative settings in lieu of another
6 disciplinary action, disaggregated by race and ethnicity,
7 gender, age, grade level, whether a student is an English
8 learner, incident type, and discipline duration. Such data
9 shall be reported to the State Board of Education annually by
10 all school districts in this State, including State-authorized
11 charter schools, in a form and manner specified by the State
12 Board of Education, no later than July 31 for the previous
13 school year and by July 31 of each year thereafter.

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

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

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

26 (3) Racial disproportionality, defined as the

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

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

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

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

23 The calculation of the top 20% of any of the metrics
24 described in this subsection (b) shall exclude all school
25 districts, State-authorized charter schools, and special
26 charter districts that issued fewer than a total of 10

1 out-of-school suspensions or expulsions, whichever is
2 applicable, during the school year. The calculation of the top
3 20% of the metric described in subdivision (3) of this
4 subsection (b) shall exclude all school districts with an
5 enrollment of fewer than 50 white students or fewer than 50
6 students of color.

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

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

15 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

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

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

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

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

20 (b) To suspend or by policy to authorize the
21 superintendent of the district or the principal, assistant
22 principal, or dean of students of any school to suspend
23 students guilty of gross disobedience or misconduct, or to
24 suspend students guilty of gross disobedience or misconduct on
25 the school bus from riding the school bus, pursuant to
26 subsections (b-15) and (b-20) of this Section, and no action

1 shall lie against them for such suspension. The board may by
2 policy authorize the superintendent of the district or the
3 principal, assistant principal, or dean of students of any
4 school to suspend students guilty of such acts for a period not
5 to exceed 10 school days. If a student is suspended due to
6 gross disobedience or misconduct on a school bus, the board
7 may suspend the student in excess of 10 school days for safety
8 reasons.

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

1 misconduct resulting in the decision to suspend. The
2 suspension decision shall also include a rationale as to the
3 specific duration of the suspension.

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

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

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

1 such threats, address such disruptions, and minimize the
2 length of suspensions to the greatest extent practicable.

3 (b-20) Unless otherwise required by this Code,
4 out-of-school suspensions of longer than 3 days, expulsions,
5 and disciplinary removals to alternative schools may be used
6 only if other appropriate and available behavioral and
7 disciplinary interventions have been exhausted and the
8 student's continuing presence in school would either (i) pose
9 a threat to the safety of other students, staff, or members of
10 the school community or (ii) substantially disrupt, impede, or
11 interfere with the operation of the school. For purposes of
12 this subsection (b-20), "threat to the safety of other
13 students, staff, or members of the school community" and
14 "substantially disrupt, impede, or interfere with the
15 operation of the school" shall be determined on a case-by-case
16 basis by school officials. For purposes of this subsection
17 (b-20), the determination of whether "appropriate and
18 available behavioral and disciplinary interventions have been
19 exhausted" shall be made by school officials. School officials
20 shall make all reasonable efforts to resolve such threats,
21 address such disruptions, and minimize the length of student
22 exclusions to the greatest extent practicable. Within the
23 suspension decision described in subsection (b) of this
24 Section or the expulsion decision described in subsection (a)
25 of this Section, it shall be documented whether other
26 interventions were attempted or whether it was determined that

1 there were no other appropriate and available interventions.

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

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

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

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

1 a student's parent or guardian to notify school officials that
2 a student suspended from the school bus does not have
3 alternate transportation to school.

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

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

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

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

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

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

24 (d-5) The board may suspend or by regulation authorize the
25 superintendent of the district or the principal, assistant
26 principal, or dean of students of any school to suspend a

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

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

26 (i) A student may not be issued a monetary fine or fee as a

1 disciplinary consequence, though this shall not preclude
2 requiring a student to provide restitution for lost, stolen,
3 or damaged property.

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

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

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

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

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

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

24 (a) To expel students in grades 3 through 12 guilty of
25 gross disobedience or misconduct, including gross disobedience

1 or misconduct perpetuated by electronic means, pursuant to
2 subsection (b-20) of this Section, and no action shall lie
3 against them for such expulsion. Unless otherwise required by
4 subsection (d), in no case may a school board expel a student
5 in kindergarten through grade 2. No action may be brought
6 against the school board for an expulsion in kindergarten
7 through grade 2 pursuant to subsection (d). Subject to this
8 grade-level restriction, expulsion ~~Expulsion~~ shall take place
9 only after the parents or guardians have been requested to
10 appear at a meeting of the board, or with a hearing officer
11 appointed by it, to discuss their child's behavior. Such
12 request shall be made by registered or certified mail and
13 shall state the time, place and purpose of the meeting. The
14 board, or a hearing officer appointed by it, at such meeting
15 shall state the reasons for dismissal and the date on which the
16 expulsion is to become effective. If a hearing officer is
17 appointed by the board, the hearing officer shall report to
18 the board a written summary of the evidence heard at the
19 meeting and the board may take such action thereon as it finds
20 appropriate. If the board acts to expel a student, the written
21 expulsion decision shall detail the specific reasons why
22 removing the student from the learning environment is in the
23 best interest of the school. The expulsion decision shall also
24 include a rationale as to the specific duration of the
25 expulsion. An expelled student may be immediately transferred
26 to an alternative program in the manner provided in Article

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

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

1 school district to review, amend, develop, or implement a
2 behavior intervention plan or safety plan.

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

24 (b-5) Among the many possible disciplinary interventions
25 and consequences available to school officials, school
26 exclusions, such as out-of-school suspensions and expulsions,

1 are the most serious. School officials shall limit the number
2 and duration of expulsions and suspensions to the greatest
3 extent practicable, and it is recommended that they use them
4 only for legitimate educational purposes. To ensure that
5 students are not excluded from school unnecessarily, it is
6 recommended that school officials consider forms of
7 non-exclusionary discipline prior to using out-of-school
8 suspensions or expulsions.

9 (b-10) Unless otherwise required by subsection (d) ~~federal~~
10 ~~law or this Code~~, school boards may not institute
11 zero-tolerance policies by which school administrators are
12 required to suspend or expel students for particular
13 behaviors.

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

24 (b-20) Unless otherwise required by this Code,
25 out-of-school suspensions of longer than 3 days, expulsions
26 for students in grades 3 through 12 or, if required by

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

1 (b-25) Students who are suspended out-of-school for longer
2 than 3 school days shall be provided appropriate and available
3 support services during the period of their suspension. For
4 purposes of this subsection (b-25), "appropriate and available
5 support services" shall be determined by school authorities.
6 Within the suspension decision described in subsection (b) of
7 this Section, it shall be documented whether such services are
8 to be provided or whether it was determined that there are no
9 such appropriate and available services. The superintendent of
10 the school district shall be required to provide verbal or
11 written approval to suspend a student in kindergarten through
12 grade 2 for longer than 3 school days. If superintendent
13 approval is not received by the third day, the student shall
14 return to school by the fourth day.

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

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

26 (b-30) A school district shall create a policy by which

1 suspended students, including those students suspended from
2 the school bus who do not have alternate transportation to
3 school, shall have the opportunity to make up work for
4 equivalent academic credit. It shall be the responsibility of
5 a student's parents or guardians to notify school officials
6 that a student suspended from the school bus does not have
7 alternate transportation to school.

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

1 further participation in the hearing or proceeding. A
2 suspension or expulsion proceeding under this subsection
3 (b-35) must be conducted independently from any ongoing
4 criminal investigation or proceeding, and an absence of
5 pending or possible criminal charges, criminal investigations,
6 or proceedings may not be a factor in school disciplinary
7 decisions.

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

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

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

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

8 (d) The board may expel a student in grades 3 through 12
9 for a definite period of time not to exceed 2 calendar years,
10 as determined on a case-by-case basis. In no case may a student
11 expelled under this Section be expelled for a period exceeding
12 2 calendar years. A student in kindergarten through grade 12
13 who is determined to have brought or possessed one of the
14 following objects to or at school, any school-sponsored
15 activity or event, or any activity or event that bears a
16 reasonable relationship to school shall be expelled for a
17 period of not less than one year:

18 (1) A firearm. For the purposes of this Section,
19 "firearm" means any gun, rifle, shotgun, weapon as defined
20 by Section 921 of Title 18 of the United States Code,
21 firearm as defined in Section 1.1 of the Firearm Owners
22 Identification Card Act, or firearm as defined in Section
23 24-1 of the Criminal Code of 2012. The expulsion
24 requirement ~~period~~ under this subdivision (1) may be
25 modified by the superintendent if such modification is in
26 writing, and the superintendent's determination may be

1 modified by the board on a case-by-case basis if such
2 modification is in writing.

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

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

25 (d-5) The board, for a student in grades 3 through 12, may
26 suspend or, by regulation, authorize the superintendent of the

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

20 (e) To maintain order and security in the schools, school
21 authorities may inspect and search places and areas such as
22 lockers, desks, parking lots, and other school property and
23 equipment owned or controlled by the school, as well as
24 personal effects left in those places and areas by students,
25 without notice to or the consent of the student, and without a
26 search warrant. As a matter of public policy, the General

1 Assembly finds that students have no reasonable expectation of
2 privacy in these places and areas or in their personal effects
3 left in these places and areas. School authorities may request
4 the assistance of law enforcement officials for the purpose of
5 conducting inspections and searches of lockers, desks, parking
6 lots, and other school property and equipment owned or
7 controlled by the school for illegal drugs, weapons, or other
8 illegal or dangerous substances or materials, including
9 searches conducted through the use of specially trained dogs.
10 If a search conducted in accordance with this Section produces
11 evidence that the student has violated or is violating either
12 the law, local ordinance, or the school's policies or rules,
13 such evidence may be seized by school authorities, and
14 disciplinary action may be taken. School authorities may also
15 turn over such evidence to law enforcement authorities.

16 (f) Suspension or expulsion may include suspension or
17 expulsion from school and all school activities and a
18 prohibition from being present on school grounds.

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

1 or staff in the alternative program. A school district that
2 adopts a policy under this subsection (g) must include a
3 provision allowing for consideration of any mitigating
4 factors, including, but not limited to, a student's status as
5 a parent, expectant parent, or victim of domestic or sexual
6 violence, as defined in Article 26A.

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

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

14 (j) Subsections (a) through (i) of this Section shall
15 apply to elementary and secondary schools, charter schools,
16 special charter districts, and school districts organized
17 under Article 34 of this Code.

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

22 (k-5) On and after July 1, 2026, the expulsion of children
23 enrolled in programs funded under Section 15-25 of the
24 Department of Early Childhood Act is subject to the
25 requirements of paragraph (7) of subsection (a) of Section
26 15-30 of the Department of Early Childhood Act. The suspension

1 of students enrolled in programs funded under Section 15-25 of
2 the Department of Early Childhood Act is subject to the
3 requirements of paragraph (8) of subsection (a) of Section
4 15-30 of the Department of Early Childhood Act.

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

12 (Source: P.A. 102-466, eff. 7-1-25; 102-539, eff. 8-20-21;
13 102-813, eff. 5-13-22; 103-594, eff. 6-25-24; 103-896, eff.
14 8-9-24; revised 9-25-24.)

15 (105 ILCS 5/13B-20.25)

16 Sec. 13B-20.25. Eligible students. Students in
17 kindergarten ~~grades 4~~ through grade 12 who meet enrollment
18 criteria established by the school district and who meet the
19 definition of "student at risk of academic failure" are
20 eligible to participate in an alternative learning
21 opportunities program funded under this Article.
22 Notwithstanding any other provision of law to the contrary,
23 enrollment in a charter alternative learning opportunities
24 program shall be open to any student ~~pupil~~ who has been
25 expelled or suspended ~~for more than 20 days~~ under Section

1 10-22.6 or 34-19 of this Code. Any student in kindergarten
2 through grade 2 placed in an out-of-district alternative
3 learning opportunities program shall have the student's
4 placement limited to 90 days beginning on the student's first
5 date of attendance in the program. For students with
6 disabilities, such removal shall be consistent with 34 CFR
7 300.530.

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

11 The State Board of Education may adopt rules to clarify
12 the implementation of this Section.

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

14 (105 ILCS 5/13B-20.30)

15 Sec. 13B-20.30. Location of program. A school district
16 must consider offering an alternative learning opportunities
17 program on-site in the regular school. An alternative learning
18 opportunities program may be provided at facilities separate
19 from the regular school or in classrooms elsewhere on school
20 premises; however, in no instance may a student in
21 kindergarten through grade 5 who is enrolled in an alternative
22 learning opportunities program participate in that program or
23 receive services outside of the student's home district except
24 as otherwise provided in this Section. A district is
25 encouraged to ensure that educational support and other

1 services are provided to the student as part of the student's
2 activities in the classroom to which the student is originally
3 assigned, unless the nature of the services dictate otherwise.
4 Any student in kindergarten through grade 2 placed in an
5 out-of-district alternative learning opportunities program
6 shall have the student's placement limited to 90 days
7 beginning on the student's first date of attendance in the
8 program. For students with disabilities, such removal shall be
9 consistent with 34 CFR 300.530.

10 The State Board of Education may adopt rules to clarify
11 the implementation of this Section.

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

13 (105 ILCS 5/13B-25.5)

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

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

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

3 (325 ILCS 3/15-30)

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

5 (a) Preschool program.

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

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

22 (3) Except as otherwise provided under this subsection
23 (a), any teacher of preschool children in the program
24 authorized by this subsection shall hold a Professional
25 Educator License with an early childhood education

1 endorsement.

2 (3.5) Beginning with the 2018-2019 school year and
3 until the 2028-2029 school year, an individual may teach
4 preschool children in an early childhood program under
5 this Section if he or she holds a Professional Educator
6 License with an early childhood education endorsement or
7 with short-term approval for early childhood education or
8 he or she pursues a Professional Educator License and
9 holds any of the following:

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

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

20 (4) Through June 30, 2026, the State Board of
21 Education shall provide the primary source of funding
22 through appropriations for the program. On and after July
23 1, 2026, the Department of Early Childhood shall provide
24 the primary source of funding through appropriations for
25 the program. Such funds shall be distributed to achieve a
26 goal of "Preschool for All Children" for the benefit of

1 all children whose families choose to participate in the
2 program. Based on available appropriations, newly funded
3 programs shall be selected through a process giving first
4 priority to qualified programs serving primarily at-risk
5 children and second priority to qualified programs serving
6 primarily children with a family income of less than 4
7 times the poverty guidelines updated periodically in the
8 Federal Register by the U.S. Department of Health and
9 Human Services under the authority of 42 U.S.C. 9902(2).
10 For purposes of this paragraph (4), at-risk children are
11 those who because of their home and community environment
12 are subject to such language, cultural, economic and like
13 disadvantages to cause them to have been determined as a
14 result of screening procedures to be at risk of academic
15 failure. Through June 30, 2026, such screening procedures
16 shall be based on criteria established by the State Board
17 of Education. On and after July 1, 2026, such screening
18 procedures shall be based on criteria established by the
19 Department of Early Childhood. Except as otherwise
20 provided in this paragraph (4), grantees under the program
21 must enter into a memorandum of understanding with the
22 appropriate local Head Start agency. This memorandum must
23 be entered into no later than 3 months after the award of a
24 grantee's grant under the program and must address
25 collaboration between the grantee's program and the local
26 Head Start agency on certain issues, which shall include

1 without limitation the following:

2 (A) educational activities, curricular objectives,
3 and instruction;

4 (B) public information dissemination and access to
5 programs for families contacting programs;

6 (C) service areas;

7 (D) selection priorities for eligible children to
8 be served by programs;

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

11 (F) staff training, including opportunities for
12 joint staff training;

13 (G) technical assistance;

14 (H) communication and parent outreach for smooth
15 transitions to kindergarten;

16 (I) provision and use of facilities,
17 transportation, and other program elements;

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

20 (K) improving local planning and collaboration;
21 and

22 (L) providing comprehensive services for the
23 neediest Illinois children and families. Through June
24 30, 2026, if the appropriate local Head Start agency
25 is unable or unwilling to enter into a memorandum of
26 understanding as required under this paragraph (4),

1 the memorandum of understanding requirement shall not
2 apply and the grantee under the program must notify
3 the State Board of Education in writing of the Head
4 Start agency's inability or unwillingness. Through
5 June 30, 2026, the State Board of Education shall
6 compile all such written notices and make them
7 available to the public. On and after July 1, 2026, if
8 the appropriate local Head Start agency is unable or
9 unwilling to enter into a memorandum of understanding
10 as required under this paragraph (4), the memorandum
11 of understanding requirement shall not apply and the
12 grantee under the program must notify the Department
13 of Early Childhood in writing of the Head Start
14 agency's inability or unwillingness. The Department of
15 Early Childhood shall compile all such written notices
16 and make them available to the public.

17 (5) Through June 30, 2026, the State Board of
18 Education shall develop and provide evaluation tools,
19 including tests, that school districts and other eligible
20 entities may use to evaluate children for school readiness
21 prior to age 5. The State Board of Education shall require
22 school districts and other eligible entities to obtain
23 consent from the parents or guardians of children before
24 any evaluations are conducted. The State Board of
25 Education shall encourage local school districts and other
26 eligible entities to evaluate the population of preschool

1 children in their communities and provide preschool
2 programs, pursuant to this subsection, where appropriate.

3 (5.1) On and after July 1, 2026, the Department of
4 Early Childhood shall develop and provide evaluation
5 tools, including tests, that school districts and other
6 eligible entities may use to evaluate children for school
7 readiness prior to age 5. The Department of Early
8 Childhood shall require school districts and other
9 eligible entities to obtain consent from the parents or
10 guardians of children before any evaluations are
11 conducted. The Department of Early Childhood shall
12 encourage local school districts and other eligible
13 entities to evaluate the population of preschool children
14 in their communities and provide preschool programs,
15 pursuant to this subsection, where appropriate.

16 (6) Through June 30, 2026, the State Board of
17 Education shall report to the General Assembly by November
18 1, 2018 and every 2 years thereafter on the results and
19 progress of students who were enrolled in preschool
20 educational programs, including an assessment of which
21 programs have been most successful in promoting academic
22 excellence and alleviating academic failure. Through June
23 30, 2026, the State Board of Education shall assess the
24 academic progress of all students who have been enrolled
25 in preschool educational programs. Through Fiscal Year
26 2026, on or before November 1 of each fiscal year in which

1 the General Assembly provides funding for new programs
2 under paragraph (4) of this Section, the State Board of
3 Education shall report to the General Assembly on what
4 percentage of new funding was provided to programs serving
5 primarily at-risk children, what percentage of new funding
6 was provided to programs serving primarily children with a
7 family income of less than 4 times the federal poverty
8 level, and what percentage of new funding was provided to
9 other programs.

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

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

4 (7) Due to evidence that expulsion practices in the
5 preschool years are linked to poor child outcomes and are
6 employed inconsistently across racial and gender groups,
7 early childhood programs receiving State funds under this
8 subsection (a) shall prohibit expulsions. Planned
9 transitions to settings that are able to better meet a
10 child's needs are not considered expulsion under this
11 paragraph (7).

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

22 (B) The early childhood program shall, with
23 parental or legal guardian consent as required, use a
24 range of community resources, if available and deemed
25 necessary, including, but not limited to,
26 developmental screenings, referrals to programs and

1 services administered by a local educational agency or
2 early intervention agency under Parts B and C of the
3 federal Individual with Disabilities Education Act,
4 and consultation with infant and early childhood
5 mental health consultants and the child's health care
6 provider. The program shall document attempts to
7 engage these resources, including parent or legal
8 guardian participation and consent attempted and
9 obtained. Communication with the parent or legal
10 guardian shall take place in a culturally and
11 linguistically competent manner.

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

24 (D) Nothing in this paragraph (7) shall preclude a
25 parent's or legal guardian's right to voluntarily
26 withdraw his or her child from an early childhood

1 program. Early childhood programs shall request and
2 keep on file, when received, a written statement from
3 the parent or legal guardian stating the reason for
4 his or her decision to withdraw his or her child.

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

15 (F) Early childhood programs may use and the
16 Department of Early Childhood, State Board of
17 Education, the Department of Human Services, and the
18 Department of Children and Family Services shall
19 recommend training, technical support, and
20 professional development resources to improve the
21 ability of teachers, administrators, program
22 directors, and other staff to promote social-emotional
23 development and behavioral health, to address
24 challenging behaviors, and to understand trauma and
25 trauma-informed care, cultural competence, family
26 engagement with diverse populations, the impact of

1 implicit bias on adult behavior, and the use of
2 reflective practice techniques. Support shall include
3 the availability of resources to contract with infant
4 and early childhood mental health consultants.

5 (G) Through June 30, 2026, early childhood
6 programs shall annually report to the State Board of
7 Education, and, beginning in Fiscal Year 2020, the
8 State Board of Education shall make available on a
9 biennial basis, in an existing report, all of the
10 following data for children from birth to age 5 who are
11 served by the program:

12 (i) Total number served over the course of the
13 program year and the total number of children who
14 left the program during the program year.

15 (ii) Number of planned transitions to another
16 program due to children's behavior, by children's
17 race, gender, disability, language, class/group
18 size, teacher-child ratio, and length of program
19 day.

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

26 (iv) Hours of infant and early childhood

1 mental health consultant contact with program
2 leaders, staff, and families over the program
3 year.

4 (G-5) On and after July 1, 2026, early childhood
5 programs shall annually report to the Department of
6 Early Childhood, and beginning in Fiscal Year 2028,
7 the Department of Early Childhood shall make available
8 on a biennial basis, in a report, all of the following
9 data for children from birth to age 5 who are served by
10 the program:

11 (i) Total number served over the course of the
12 program year and the total number of children who
13 left the program during the program year.

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

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

25 (iv) Hours of infant and early childhood
26 mental health consultant contact with program

1 leaders, staff, and families over the program
2 year.

3 (H) Changes to services for children with an
4 individualized education program or individual family
5 service plan shall be construed in a manner consistent
6 with the federal Individuals with Disabilities
7 Education Act.

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

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

1 number of days required by the school district or early
2 childhood program to review, amend, develop, or implement
3 a behavior intervention plan or safety plan.

4 (b) Notwithstanding any other provisions of this Section,
5 grantees may serve children ages 0 to 12 of essential workers
6 if the Governor has declared a disaster due to a public health
7 emergency pursuant to Section 7 of the Illinois Emergency
8 Management Agency Act. The Department of Early Childhood may
9 adopt rules to administer this subsection.

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

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

18 Section 99. Effective date. This Act takes effect upon
19 becoming law, except that the provisions changing Section
20 10-22.6 of the School Code and Section 15-30 of the Department
21 of Early Childhood Act take effect July 1, 2027."