

SB0098



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB0098

Introduced 1/17/2025, by Sen. Steve McClure

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-22.6

from Ch. 122, par. 10-22.6

Amends the School Code. In provisions concerning a school board's suspension or expulsion of pupils, provides that a student who is determined to have committed sexual violence, sexual assault, or sexual activity with an individual without the individual's consent at a school, a school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of not less than one year. Effective immediately.

LRB104 03089 LNS 13107 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 10-22.6 as follows:

6 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

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

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

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

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

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

1 reasons.

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

23 (b-5) Among the many possible disciplinary interventions
24 and consequences available to school officials, school
25 exclusions, such as out-of-school suspensions and expulsions,
26 are the most serious. School officials shall limit the number

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

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

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

22 (b-20) Unless otherwise required by this Code,
23 out-of-school suspensions of longer than 3 days, expulsions,
24 and disciplinary removals to alternative schools may be used
25 only if other appropriate and available behavioral and
26 disciplinary interventions have been exhausted and the

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

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

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

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

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

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

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

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

13 (d) The board may expel a student for a definite period of
14 time not to exceed 2 calendar years, as determined on a
15 case-by-case basis.

16 A student who is determined to have brought one of the
17 following objects to school, any school-sponsored activity or
18 event, or any activity or event that bears a reasonable
19 relationship to school shall be expelled for a period of not
20 less than one year:

21 (1) A firearm. For the purposes of this Section,
22 "firearm" means any gun, rifle, shotgun, weapon as defined
23 by Section 921 of Title 18 of the United States Code,
24 firearm as defined in Section 1.1 of the Firearm Owners
25 Identification Card Act, or firearm as defined in Section
26 24-1 of the Criminal Code of 2012. The expulsion period

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

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

12 A student who is determined to have committed sexual
13 violence, sexual assault, or sexual activity with an
14 individual without the individual's consent at a school, a
15 school-sponsored activity or event, or any activity or event
16 that bears a reasonable relationship to school shall be
17 expelled for a period of not less than one year.

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 guilty of gross disobedience or
25 misconduct, including gross disobedience or misconduct

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

26 (b) To suspend or by policy to authorize the

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

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

1 a written summary of the evidence heard at the meeting. After
2 its hearing or upon receipt of the written report of its
3 hearing officer, the board may take such action as it finds
4 appropriate. If a student is suspended pursuant to this
5 subsection (b), the board shall, in the written suspension
6 decision, detail the specific act of gross disobedience or
7 misconduct resulting in the decision to suspend. The
8 suspension decision shall also include a rationale as to the
9 specific duration of the suspension.

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

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

25 (b-15) Out-of-school suspensions of 3 days or less may be
26 used only if the student's continuing presence in school would

1 pose a threat to school safety or a disruption to other
2 students' learning opportunities. For purposes of this
3 subsection (b-15), "threat to school safety or a disruption to
4 other students' learning opportunities" shall be determined on
5 a case-by-case basis by the school board or its designee.
6 School officials shall make all reasonable efforts to resolve
7 such threats, address such disruptions, and minimize the
8 length of suspensions to the greatest extent practicable.

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

1 address such disruptions, and minimize the length of student
2 exclusions to the greatest extent practicable. Within the
3 suspension decision described in subsection (b) of this
4 Section or the expulsion decision described in subsection (a)
5 of this Section, it shall be documented whether other
6 interventions were attempted or whether it was determined that
7 there were no other appropriate and available interventions.

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

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

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

1 Section 13A-4 on or before July 1, 2025.

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

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

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

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

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

24 (c-5) School districts shall make reasonable efforts to
25 provide ongoing professional development to all school
26 personnel, school board members, and school resource officers

1 on the requirements of this Section and Section 10-20.14, the
2 adverse consequences of school exclusion and justice-system
3 involvement, effective classroom management strategies,
4 culturally responsive discipline, trauma-responsive learning
5 environments, as defined in subsection (b) of Section 3-11,
6 the appropriate and available supportive services for the
7 promotion of student attendance and engagement, and
8 developmentally appropriate disciplinary methods that promote
9 positive and healthy school climates.

10 (d) The board may expel a student for a definite period of
11 time not to exceed 2 calendar years, as determined on a
12 case-by-case basis.

13 A student who is determined to have brought one of the
14 following objects to school, any school-sponsored activity or
15 event, or any activity or event that bears a reasonable
16 relationship to school shall be expelled for a period of not
17 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 period
24 under this subdivision (1) may be modified by the
25 superintendent, and the superintendent's determination may
26 be modified by the board on a case-by-case basis.

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

9 A student who is determined to have committed sexual
10 violence, sexual assault, or sexual activity with an
11 individual without the individual's consent at a school, a
12 school-sponsored activity or event, or any activity or event
13 that bears a reasonable relationship to school shall be
14 expelled for a period of not less than one year.

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

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

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

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

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

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

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

25 (h) School officials shall not advise or encourage
26 students to drop out voluntarily due to behavioral or academic

1 difficulties.

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

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

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

14 (k-5) On and after July 1, 2026, the expulsion of children
15 enrolled in programs funded under Section 15-25 of the
16 Department of Early Childhood Act is subject to the
17 requirements of paragraph (7) of subsection (a) of Section
18 15-30 of the Department of Early Childhood Act.

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

26 (Source: P.A. 102-466, eff. 7-1-25; 102-539, eff. 8-20-21;

1 102-813, eff. 5-13-22; 103-594, eff. 6-25-24; 103-896, eff.
2 8-9-24; revised 9-25-24.)

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

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.