

1 AN ACT concerning education.

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

4 Section 1. Findings and intent.

5 (a) The General Assembly finds the following:

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

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

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

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

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

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

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

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

22 Section 5. The School Code is amended by adding Section
23 2-3.206 and by changing Sections 10-20.14, 10-20.68, 10-22.6,
24 and 26-12 as follows:

1 (105 ILCS 5/2-3.206 new)

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

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

12 (b) Beginning with the 2027-2028 school year, the State
13 Board of Education shall require that each school district
14 annually report, in a manner and method determined by the
15 State Board, the number of students in kindergarten through
16 grade 12 who were referred to a law enforcement agency or
17 official and the number of instances of referrals to law
18 enforcement that students in grades kindergarten through 12
19 received.

20 (c) The data reported under subsection (b) shall be
21 disaggregated by race and ethnicity, sex, grade level, whether
22 a student is an English learner, and disability.

23 (d) On or before January 31, 2029 and on or before January
24 31 of each subsequent year, the State Board of Education,
25 through the State Superintendent of Education, shall prepare a
26 report on student referrals to law enforcement in all school

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

8 (105 ILCS 5/10-20.14) (from Ch. 122, par. 10-20.14)

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

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

1 to the safety of their schools, students, and school
2 personnel.

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

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

25 (c) The parent-teacher advisory committee, in cooperation
26 with school bus personnel, shall develop, with the school

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

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

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

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

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

1 (105 ILCS 5/10-20.68)

2 Sec. 10-20.68. School resource officer.

3 (a) In this Section, "school resource officer" means a law
4 enforcement officer who has been primarily assigned to a
5 school or school district under a memorandum of understanding
6 between ~~an agreement with~~ a local law enforcement agency and a
7 school district.

8 (a-5) Beginning July 1, 2026, a memorandum of
9 understanding between a local law enforcement agency and a
10 school district is required for any school district that uses
11 a school resource officer. The memorandum of understanding
12 shall include provisions that:

13 (1) define the role, duties, and responsibilities of a
14 school resource officer;

15 (2) specify procedures to ensure that a school
16 resource officer has been trained or has received a waiver
17 for training, as provided in Section 10.22 of the Illinois
18 Police Training Act, including specific training on
19 working with students with disabilities to ensure
20 appropriate and effective interactions that support their
21 educational and behavioral needs;

22 (3) specify that a school resource officer is
23 prohibited from issuing tickets or citations on school
24 property in accordance with subsection (i) of Section
25 10-22.6;

26 (4) outline a process for data collection and

1 reporting in accordance with Section 2-3.206; and

2 (5) provide for regular review and evaluation of the
3 school resource officer program, including community and
4 stakeholder input.

5 (b) ~~Any Beginning January 1, 2021, any~~ law enforcement
6 agency that provides a school resource officer ~~under this~~
7 ~~Section~~ shall provide to the school district a certificate of
8 completion, or approved waiver, issued by the Illinois Law
9 Enforcement Training Standards Board under Section 10.22 of
10 the Illinois Police Training Act indicating that the subject
11 officer has completed the requisite course of instruction in
12 the applicable subject areas within one year of assignment, or
13 has prior experience and training which satisfies this
14 requirement.

15 (c) In an effort to defray the related costs, any law
16 enforcement agency that provides a school resource officer
17 should apply for grant funding through the federal Community
18 Oriented Policing Services grant program.

19 (Source: P.A. 100-984, eff. 1-1-19; 101-81, eff. 7-12-19.)

20 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

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

25 (b) To suspend or by policy to authorize the
26 superintendent of the district or the principal, assistant

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

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

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

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

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

24 (b-15) Out-of-school suspensions of 3 days or less may be
25 used only if the student's continuing presence in school would
26 pose a threat to school safety or a disruption to other

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

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

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

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

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

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

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

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

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

25 (d) The board may expel a student for a definite period of
26 time not to exceed 2 calendar years, as determined on a

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

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

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

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

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

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

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

5 (i) In this subsection (i), "municipal code violation"
6 means the violation of a rule or regulation established by a
7 local government authority, authorized by Section 1-2-1 of the
8 Illinois Municipal Code.

9 A student must ~~may~~ not be issued a monetary fine, ~~or fee,~~
10 ticket, or citation as a school-based disciplinary consequence
11 or for a municipal code violation on school grounds during
12 school hours or while taking school transportation by any
13 person as a disciplinary consequence, though this shall not
14 preclude requiring a student to provide restitution for lost,
15 stolen, or damaged property.

16 This subsection (i) does not modify school disciplinary
17 responses under this Section or Section 10-20.14 of this Code
18 that existed before the effective date of this amendatory Act
19 of the 104th General Assembly or responses to alleged
20 delinquent or criminal conduct set forth in this Code, Article
21 V of the Juvenile Court Act of 1987, or the Criminal Code of
22 2012. This subsection (i) does not apply to violations of
23 traffic, boating, or fish and game laws.

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

1 under Article 34 of this Code.

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

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

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

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

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

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

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

20 (b) 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 guardians of a student along with a full statement
11 of the reasons for such suspension and a notice of their right
12 to 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 guardians,
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 guardians 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 parents or guardians to notify school officials
2 that a student suspended from the school bus does not have
3 alternate transportation to school.

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

1 pending or possible criminal charges, criminal investigations,
2 or proceedings may not be a factor in school disciplinary
3 decisions.

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

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

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

1 promotion of student attendance and engagement, and
2 developmentally appropriate disciplinary methods that promote
3 positive and healthy school climates.

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

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

20 (2) A knife, brass knuckles or other knuckle weapon
21 regardless of its composition, a billy club, or any other
22 object if used or attempted to be used to cause bodily
23 harm, including "look alike" of any firearm as defined in
24 subdivision (1) of this subsection (d). The expulsion
25 requirement under this subdivision (2) may be modified by
26 the superintendent, and the superintendent's determination

1 may be modified by the board on a case-by-case basis.
2 Expulsion or suspension shall be construed in a manner
3 consistent with the federal Individuals with Disabilities
4 Education Act. A student who is subject to suspension or
5 expulsion as provided in this Section may be eligible for a
6 transfer to an alternative school program in accordance with
7 Article 13A of the School Code.

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

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

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

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

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

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

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

15 (i) In this subsection (i), "municipal code violation"
16 means the violation of a rule or regulation established by a
17 local government authority, authorized by Section 1-2-1 of the
18 Illinois Municipal Code.

19 A student must ~~may~~ not be issued a monetary fine, ~~or fee,~~
20 ticket, or citation as a school-based disciplinary consequence
21 or for a municipal code violation on school grounds during
22 school hours or while taking school transportation by any
23 person ~~as a disciplinary consequence~~, though this shall not
24 preclude requiring a student to provide restitution for lost,
25 stolen, or damaged property.

26 This subsection (i) does not modify school disciplinary

1 responses under this Section or Section 10-20.14 of this Code
2 that existed before the effective date of this amendatory Act
3 of the 104th General Assembly or responses to alleged
4 delinquent or criminal conduct set forth in this Code, Article
5 V of the Juvenile Court Act of 1987, or the Criminal Code of
6 2012. This subsection (i) does not apply to violations of
7 traffic, boating, or fish and game laws.

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

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

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

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

1 suspension program in kindergarten through grade 12.

2 (Source: P.A. 102-466, eff. 7-1-25; 102-539, eff. 8-20-21;
3 102-813, eff. 5-13-22; 103-594, eff. 6-25-24; 103-896, eff.
4 8-9-24; revised 9-25-24.)

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

6 Sec. 26-12. Punitive action.

7 (a) No punitive action, including out-of-school
8 suspensions, expulsions, or court action, shall be taken
9 against truant minors for such truancy unless appropriate and
10 available supportive services and other school resources have
11 been provided to the student. Notwithstanding the provisions
12 of Section 10-22.6 of this Code, a truant minor may not be
13 expelled for nonattendance unless he or she has accrued 15
14 consecutive days of absences without valid cause and the
15 student cannot be located by the school district or the school
16 district has located the student but cannot, after exhausting
17 all available supportive services, compel the student to
18 return to school.

19 (b) School personnel ~~A school district~~ may not refer a
20 truant, chronic truant, or truant minor to any other local
21 public entity, as defined under Section 1-206 of the Local
22 Governmental and Governmental Employees Tort Immunity Act,
23 school resource officer, as defined in Section 10-20.68 of
24 this Code, or peace officer, as defined in Section 2-13 of the
25 Criminal Code of 2012, for that local public entity, school

1 resource officer, or peace officer to issue the child a fine or
2 a fee as punishment for his or her truancy.

3 (c) A school district may refer any person having custody
4 or control of a truant, chronic truant, or truant minor to any
5 other local public entity, as defined under Section 1-206 of
6 the Local Governmental and Governmental Employees Tort
7 Immunity Act, for that local public entity to issue the person
8 a fine or fee for the child's truancy only if the school
9 district's truant officer, regional office of education, or
10 intermediate service center has been notified of the truant
11 behavior and the school district, regional office of
12 education, or intermediate service center has offered all
13 appropriate and available supportive services and other school
14 resources to the child. Before a school district may refer a
15 person having custody or control of a child to a municipality,
16 as defined under Section 1-1-2 of the Illinois Municipal Code,
17 the school district must provide the following appropriate and
18 available services:

19 (1) For any child who is a homeless child, as defined
20 under Section 1-5 of the Education for Homeless Children
21 Act, a meeting between the child, the person having
22 custody or control of the child, relevant school
23 personnel, and a homeless liaison to discuss any barriers
24 to the child's attendance due to the child's transitional
25 living situation and to construct a plan that removes
26 these barriers.

1 (2) For any child with a documented disability, a
2 meeting between the child, the person having custody or
3 control of the child, and relevant school personnel to
4 review the child's current needs and address the
5 appropriateness of the child's placement and services. For
6 any child subject to Article 14 of this Code, this meeting
7 shall be an individualized education program meeting and
8 shall include relevant members of the individualized
9 education program team. For any child with a disability
10 under Section 504 of the federal Rehabilitation Act of
11 1973 (29 U.S.C. 794), this meeting shall be a Section 504
12 plan review and include relevant members of the Section
13 504 plan team.

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

20 (d) Before a school district may refer a person having
21 custody or control of a child to a local public entity under
22 this Section, the school district must document any
23 appropriate and available supportive services offered to the
24 child. In the event a meeting under this Section does not
25 occur, a school district must have documentation that it made
26 reasonable efforts to convene the meeting at a mutually

1 convenient time and date for the school district and the
2 person having custody or control of the child and, but for the
3 conduct of that person, the meeting would have occurred.

4 (Source: P.A. 100-810, eff. 1-1-19; 100-825, eff. 8-13-18;
5 101-81, eff. 7-12-19.)

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

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.