



Sen. Karina Villa

Filed: 3/28/2025

10400SB1519sam002

LRB104 06247 LNS 24527 a

1 AMENDMENT TO SENATE BILL 1519

2 AMENDMENT NO. _____. Amend Senate Bill 1519, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 1. Findings and intent.

6 (a) The General Assembly finds the following:

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

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

16 (3) Thousands of students have been referred to
17 municipalities for behaviors occurring on school grounds,

1 during school-related events, or while taking school
2 transportation.

3 (4) Municipal tickets, citations, and ordinance
4 violations disproportionately impact students of color and
5 students with disabilities.

6 (5) Municipal fines and fees associated with municipal
7 tickets, citations, and ordinance violations create
8 financial hardship for minors and their families.

9 (6) Municipal proceedings do not provide minors with
10 sufficient due process, confidentiality, or record
11 expungement protections.

12 (7) In accordance with federal law and regulations,
13 Illinois schools provide data to the Civil Rights Data
14 Collection required by the Office for Civil Rights of the
15 U.S. Department of Education, including data on referrals
16 to law enforcement, and which disaggregates referrals
17 resulting in arrests, but does not disaggregate referrals
18 resulting in a municipal ticket, citation, or ordinance
19 violation.

20 (b) It is the intent of the General Assembly to learn more
21 about the prevalence of student referrals to law enforcement,
22 particularly those resulting in municipal tickets, citations,
23 and ordinance violations for behaviors occurring on school
24 grounds, during school-related events, or while taking school
25 transportation. It is not the intent of the General Assembly
26 to modify current school disciplinary responses provided in

1 the School Code or responses to alleged delinquent or criminal
2 conduct as set forth in the School Code, the Juvenile Court Act
3 of 1987, or the Criminal Code of 2012.

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

7 (105 ILCS 5/2-3.206 new)

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

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

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

1 received.

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

5 (d) On or before January 31, 2029 and on or before January
6 31 of each subsequent year, the State Board of Education,
7 through the State Superintendent of Education, shall prepare a
8 report on student referrals to law enforcement in all school
9 districts in this State, including State-authorized charter
10 schools. This report shall include data from all public
11 schools within school districts, including district-authorized
12 charter schools. This report must be posted on the Internet
13 website of the State Board of Education. The report shall
14 include data reported under subsection (b) and shall be
15 disaggregated according to subsection (c).

16 (105 ILCS 5/10-20.14) (from Ch. 122, par. 10-20.14)

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

19 (a) To establish and maintain a parent-teacher advisory
20 committee to develop with the school board or governing body
21 of a charter school policy guidelines on student discipline,
22 including school searches and bullying prevention as set forth
23 in Section 27-23.7 of this Code. School authorities shall
24 furnish a copy of the policy to the parents or guardian of each
25 student within 15 days after the beginning of the school year,

1 or within 15 days after starting classes for a student who
2 transfers into the district during the school year, and the
3 school board or governing body of a charter school shall
4 require that a school inform its students of the contents of
5 the policy. School boards and the governing bodies of charter
6 schools, along with the parent-teacher advisory committee,
7 must annually review their student discipline policies and the
8 implementation of those policies and any other factors related
9 to the safety of their schools, students, and school
10 personnel.

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

18 (b) The parent-teacher advisory committee in cooperation
19 with local law enforcement agencies shall develop, with the
20 school board, policy guideline procedures to establish and
21 maintain a reciprocal reporting system between the school
22 district and local law enforcement agencies regarding criminal
23 and civil offenses committed by students. School districts are
24 encouraged to create memoranda of understanding with local law
25 enforcement agencies that clearly define law enforcement's
26 role in schools, in accordance with Sections 2-3.206 and

1 ~~Section~~ 10-22.6 of this Code. In consultation with
2 stakeholders deemed appropriate by the State Board of
3 Education, the State Board of Education shall draft and
4 publish guidance for the development of reciprocal reporting
5 systems in accordance with this Section on or before July 1,
6 2025.

7 (c) The parent-teacher advisory committee, in cooperation
8 with school bus personnel, shall develop, with the school
9 board, policy guideline procedures to establish and maintain
10 school bus safety procedures. These procedures shall be
11 incorporated into the district's student discipline policy. In
12 consultation with stakeholders deemed appropriate by the State
13 Board of Education, the State Board of Education shall draft
14 and publish guidance for school bus safety procedures in
15 accordance with this Section on or before July 1, 2025.

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

20 The school board, in consultation with the parent-teacher
21 advisory committee and other community-based organizations,
22 must include provisions in the student discipline policy to
23 address students who have demonstrated behaviors that put them
24 at risk for aggressive behavior, including without limitation
25 bullying, as defined in the policy. These provisions must
26 include procedures for notifying parents or legal guardians

1 and intervention procedures based upon available
2 community-based and district resources.

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

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

8 (105 ILCS 5/10-20.68)

9 Sec. 10-20.68. School resource officer.

10 (a) In this Section, "school resource officer" means a law
11 enforcement officer who has been primarily assigned to a
12 school or school district under a memorandum of understanding
13 between ~~an agreement with~~ a local law enforcement agency and a
14 school district.

15 (a-5) Beginning July 1, 2026, a memorandum of
16 understanding between a local law enforcement agency and a
17 school district is required for any school district that uses
18 a school resource officer. The memorandum of understanding
19 shall include provisions that:

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

22 (2) specify procedures to ensure that a school
23 resource officer has been trained or has received a waiver
24 for training, as provided in Section 10.22 of the Illinois
25 Police Training Act, including specific training on

1 working with students with disabilities to ensure
2 appropriate and effective interactions that support their
3 educational and behavioral needs;

4 (3) specify that a school resource officer is
5 prohibited from issuing tickets or citations on school
6 property in accordance with subsection (i) of Section
7 10-22.6;

8 (4) outline a process for data collection and
9 reporting in accordance with Section 2-3.206; and

10 (5) provide for regular review and evaluation of the
11 school resource officer program, including community and
12 stakeholder input.

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

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

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

2 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

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

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

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

1 the expulsion. An expelled student may be immediately
2 transferred to an alternative program in the manner provided
3 in Article 13A or 13B of this Code. A student must not be
4 denied transfer because of the expulsion, except in cases in
5 which such transfer is deemed to cause a threat to the safety
6 of students or staff in the alternative program.

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

22 Any suspension shall be reported immediately to the
23 parents or guardian of a student along with a full statement of
24 the reasons for such suspension and a notice of their right to
25 a review. The school board must be given a summary of the
26 notice, including the reason for the suspension and the

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

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

1 suspensions or expulsions.

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

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

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

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

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

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

26 A school district shall create a policy to facilitate the

1 re-engagement of students who are suspended out-of-school,
2 expelled, or returning from an alternative school setting. In
3 consultation with stakeholders deemed appropriate by the State
4 Board of Education, the State Board of Education shall draft
5 and publish guidance for the re-engagement of students who are
6 suspended out-of-school, expelled, or returning from an
7 alternative school setting in accordance with this Section and
8 Section 13A-4 on or before July 1, 2025.

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

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

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

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

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

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

23 (2) A knife, brass knuckles or other knuckle weapon
24 regardless of its composition, a billy club, or any other
25 object if used or attempted to be used to cause bodily
26 harm, including "look alike" of any firearm as defined in

1 subdivision (1) of this subsection (d). The expulsion
2 requirement under this subdivision (2) may be modified by
3 the superintendent, and the superintendent's determination
4 may be modified by the board on a case-by-case basis.

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

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

1 student inside the school.

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

24 (f) Suspension or expulsion may include suspension or
25 expulsion from school and all school activities and a
26 prohibition from being present on school grounds.

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

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

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

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

24 This subsection (i) does not modify school disciplinary
25 responses under this Section or Section 10-20.14 of this Code
26 that existed before the effective date of this amendatory Act

1 of the 104th General Assembly or responses to alleged
2 delinquent or criminal conduct set forth in this Code, Article
3 V of the Juvenile Court Act of 1987, or the Criminal Code of
4 2012. This subsection (i) does not apply to violations of
5 traffic, boating, or fish and game laws.

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

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

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

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

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

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

1 program.

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

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

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

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

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

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

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

1 exhausted" shall be made by school officials. School officials
2 shall make all reasonable efforts to resolve such threats,
3 address such disruptions, and minimize the length of student
4 exclusions to the greatest extent practicable. Within the
5 suspension decision described in subsection (b) of this
6 Section or the expulsion decision described in subsection (a)
7 of this Section, it shall be documented whether other
8 interventions were attempted or whether it was determined that
9 there were no other appropriate and available interventions.

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

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

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

1 suspended out-of-school, expelled, or returning from an
2 alternative school setting in accordance with this Section and
3 Section 13A-4 on or before July 1, 2025.

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

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

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

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

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

26 (c-5) School districts shall make reasonable efforts to

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

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

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

1 be modified by the board on a case-by-case basis.

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

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

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

1 was available to third parties who worked or studied within
2 the school grounds at the time the threat was made, and (iii)
3 the threat could be reasonably interpreted as threatening to
4 the safety and security of the threatened individual because
5 of the individual's duties or employment status or status as a
6 student inside the school.

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

1 disciplinary action may be taken. School authorities may also
2 turn over such evidence to law enforcement authorities.

3 (f) Suspension or expulsion may include suspension or
4 expulsion from school and all school activities and a
5 prohibition from being present on school grounds.

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

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

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

1 A student must ~~may~~ not be issued a monetary fine, ~~or~~ fee, ~~or~~
2 ticket, or citation as a school-based disciplinary consequence
3 or for a municipal code violation on school grounds during
4 school hours or while taking school transportation by any
5 person as a disciplinary consequence, though this shall not
6 preclude requiring a student to provide restitution for lost,
7 stolen, or damaged property.

8 This subsection (i) does not modify school disciplinary
9 responses under this Section or Section 10-20.14 of this Code
10 that existed before the effective date of this amendatory Act
11 of the 104th General Assembly or responses to alleged
12 delinquent or criminal conduct set forth in this Code, Article
13 V of the Juvenile Court Act of 1987, or the Criminal Code of
14 2012. This subsection (i) does not apply to violations of
15 traffic, boating, or fish and game laws.

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

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

24 (k-5) On and after July 1, 2026, the expulsion of children
25 enrolled in programs funded under Section 15-25 of the
26 Department of Early Childhood Act is subject to the

1 requirements of paragraph (7) of subsection (a) of Section
2 15-30 of the Department of Early Childhood Act.

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

10 (Source: P.A. 102-466, eff. 7-1-25; 102-539, eff. 8-20-21;
11 102-813, eff. 5-13-22; 103-594, eff. 6-25-24; 103-896, eff.
12 8-9-24; revised 9-25-24.)

13 (105 ILCS 5/26-12) (from Ch. 122, par. 26-12)

14 Sec. 26-12. Punitive action.

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

1 return to school.

2 (b) School personnel ~~A school district~~ may not refer a
3 truant, chronic truant, or truant minor to any other local
4 public entity, as defined under Section 1-206 of the Local
5 Governmental and Governmental Employees Tort Immunity Act,
6 school resource officer, as defined in Section 10-20.68 of
7 this Code, or peace officer, as defined in Section 2-13 of the
8 Criminal Code of 2012, for that local public entity, school
9 resource officer, or peace officer to issue the child a fine or
10 a fee as punishment for his or her truancy.

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

1 (1) For any child who is a homeless child, as defined
2 under Section 1-5 of the Education for Homeless Children
3 Act, a meeting between the child, the person having
4 custody or control of the child, relevant school
5 personnel, and a homeless liaison to discuss any barriers
6 to the child's attendance due to the child's transitional
7 living situation and to construct a plan that removes
8 these barriers.

9 (2) For any child with a documented disability, a
10 meeting between the child, the person having custody or
11 control of the child, and relevant school personnel to
12 review the child's current needs and address the
13 appropriateness of the child's placement and services. For
14 any child subject to Article 14 of this Code, this meeting
15 shall be an individualized education program meeting and
16 shall include relevant members of the individualized
17 education program team. For any child with a disability
18 under Section 504 of the federal Rehabilitation Act of
19 1973 (29 U.S.C. 794), this meeting shall be a Section 504
20 plan review and include relevant members of the Section
21 504 plan team.

22 (3) For any child currently being evaluated by a
23 school district for a disability or for whom the school
24 has a basis of knowledge that the child is a child with a
25 disability under 20 U.S.C. 1415(k)(5), the completion of
26 the evaluation and determination of the child's

1 eligibility for special education services.

2 (d) Before a school district may refer a person having
3 custody or control of a child to a local public entity under
4 this Section, the school district must document any
5 appropriate and available supportive services offered to the
6 child. In the event a meeting under this Section does not
7 occur, a school district must have documentation that it made
8 reasonable efforts to convene the meeting at a mutually
9 convenient time and date for the school district and the
10 person having custody or control of the child and, but for the
11 conduct of that person, the meeting would have occurred.

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

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

21 Section 99. Effective date. This Act takes effect upon
22 becoming law."