



Sen. Karina Villa

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10400SB1519sam003

LRB104 06247 LNS 24671 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 by race and ethnicity, sex, grade level, whether  
4 a 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."