



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2017

Introduced 2/6/2025, by Sen. Karina Villa

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-5-9
105 ILCS 5/10-20.68
105 ILCS 5/10-22.6 from Ch. 122, par. 10-22.6
105 ILCS 5/26-12 from Ch. 122, par. 26-12
105 ILCS 5/27-23.7

Amends the Illinois Municipal Code. Prohibits municipal ordinances that regulate truants from including a fine or fee for violations or providing for enforcement by citation. Amends the School Code. Requires a memorandum of understanding between a local law enforcement agency and a school district for any school district that uses a school resource officer; sets forth requirements for the memorandum. Provides that a student is prohibited from being issued a monetary fine or fee by any person (rather than providing that a student may not be issued a monetary fine or fee) as a disciplinary consequence. Prohibits school personnel of a school district from referring a student to any other local public entity or a local law enforcement agency for that entity or agency to issue the student a monetary fine or fee as a disciplinary consequence. Prohibits a school district from referring a truant, chronic truant, or truant minor to any other local public entity for that local public entity to issue the child's parent or guardian a fine or a fee as punishment for the child's truancy. Makes conforming and other changes.

LRB104 11330 LNS 21417 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-5-9 as follows:

6 (65 ILCS 5/11-5-9)

7 Sec. 11-5-9. Truants. The corporate authorities of any
8 municipality may adopt ordinances to regulate truants within
9 its jurisdiction. These ordinances may not include a ~~graduated~~
10 fine or fee schedule for ~~repeat~~ violations. However, the
11 penalty for repeat violations may include, ~~which may not~~
12 ~~exceed \$100, or community service, or both,~~ for violators 13
13 years of age or older. Such an ordinance ~~and~~ may provide for
14 enforcement ~~by citation or~~ through administrative hearings as
15 determined by ordinance. If the violator is under 13 years of
16 age, the parent or custodian of the violator is subject to the
17 ~~fine or community service, or both.~~ As used in this Section,
18 "truants" means persons who are within the definition of
19 "truant" in Section 26-2a of the School Code. Local officials
20 or authorities that enforce, prosecute, or adjudicate
21 municipal ordinances adopted under this Section or that work
22 with school districts to address truancy problems are
23 designated as (i) part of the juvenile justice system,

1 established by the Juvenile Court Act of 1987, and (ii)
2 "juvenile authorities" within the definition set forth in
3 subsection (a)(6.5) of Section 10-6 of the Illinois School
4 Student Record Act. Because truancy is a gateway to crime and
5 one of the most powerful predictors of juvenile delinquent
6 behavior, a school district may disclose education records
7 relating to attendance to juvenile authorities if the school
8 district determines that the disclosure will enhance the
9 juvenile justice system's ability to effectively serve, prior
10 to adjudication, the student whose records are released.
11 Enforcement of a municipal ordinance adopted under this
12 Section is pre-adjudicatory because it helps minors avoid
13 adjudicatory hearings under the Juvenile Court Act of 1987. A
14 school district may make a disclosure authorized under this
15 Section only if the juvenile authority certifies in writing to
16 the school district that the information will not be
17 disclosed, without prior written consent of the parent or
18 custodian of the student, to any other individual or entity,
19 except as otherwise provided under State law. A home rule unit
20 may not regulate truants in a manner inconsistent with the
21 provisions of this Section or Sections 10-22.6 and 26-12 of
22 the School Code. This Section is a limitation under subsection
23 (i) of Section 6 of Article VII of the Illinois Constitution on
24 the concurrent exercise by home rule units of the powers and
25 functions exercised by the State.

26 (Source: P.A. 94-1011, eff. 7-7-06; 95-1016, eff. 6-1-09.)

1 Section 10. The School Code is amended by changing
2 Sections 10-20.68, 10-22.6, 26-12, and 27-23.7 as follows:

3 (105 ILCS 5/10-20.68)

4 Sec. 10-20.68. School resource officer.

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

10 (a-5) A memorandum of understanding between a local law
11 enforcement agency and a school district is required for any
12 school district that uses a school resource officer. The
13 memorandum of understanding must clearly define a school
14 resource officer's role in a school and must be in accordance
15 with Section 10-22.6. The memorandum of understanding shall
16 include provisions that:

17 (1) define the role, duties, and responsibilities of a
18 school resource officer in alignment with the school
19 district's disciplinary policies;

20 (2) specify procedures to ensure that a school
21 resource officer prioritizes alternative disciplinary
22 measures, including delayed adjudication procedures if a
23 ticket is issued;

24 (3) include training requirements for a school

1 resource officer that focuses on alternative methods of
2 discipline and restorative practices to address student
3 behavior in a developmentally appropriate and culturally
4 sensitive manner;

5 (4) outline a process for data collection and
6 reporting on tickets or citations issued by a school
7 resource officer, disaggregated by demographic categories;
8 and

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

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

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

26 (d) The State Board of Education may adopt rules to

1 implement this Section.

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

3 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

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

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

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

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

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

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

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

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

1 non-exclusionary discipline prior to using out-of-school
2 suspensions or expulsions.

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

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

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

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

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

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

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

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

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

22 (c-5) School districts shall make reasonable efforts to
23 provide ongoing professional development to all school
24 personnel, school board members, and school resource officers~~7~~
25 on the requirements of this Section and Section 10-20.14, the
26 adverse consequences of school exclusion and justice-system

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

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

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

24 (2) A knife, brass knuckles or other knuckle weapon
25 regardless of its composition, a billy club, or any other
26 object if used or attempted to be used to cause bodily

1 harm, including "look alike" of any firearm as defined in
2 subdivision (1) of this subsection (d). The expulsion
3 requirement under this subdivision (2) may be modified by
4 the superintendent, and the superintendent's determination
5 may be modified by the board on a case-by-case basis.

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

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

1 of the individual's duties or employment status or status as a
2 student inside the school.

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

25 (f) Suspension or expulsion may include suspension or
26 expulsion from school and all school activities and a

1 prohibition from being present on school grounds.

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

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

14 (i) A student is prohibited from being ~~may not be~~ issued a
15 monetary fine or fee by any person as a disciplinary
16 consequence, though this does ~~shall~~ not preclude requiring a
17 student to provide restitution for lost, stolen, or damaged
18 property.

19 (i-5) As used in this subsection (i-5), "school personnel"
20 has the meaning given to that term in Section 27-23.7.

21 School personnel of a school district are prohibited from
22 referring a student to any other local public entity, as
23 defined in Section 1-206 of the Local Governmental and
24 Governmental Employees Tort Immunity Act, or a local law
25 enforcement agency for that entity or agency to issue the
26 student a monetary fine or fee as a disciplinary consequence.

1 This prohibition does not prohibit school personnel from
2 referring a matter to that appropriate entity or agency for a
3 violation of local, State, or federal law if necessary to
4 prevent an imminent threat of serious physical harm to the
5 student, other students, school personnel, or other persons,
6 for the purpose of self-defense or defense of property, or if
7 otherwise required to refer such a matter to the entity or
8 agency by local, State, or federal law.

9 (j) Subsections (a) through (i-5) ~~(i)~~ of this Section
10 shall apply to elementary and secondary schools, charter
11 schools, special charter districts, and school districts
12 organized under Article 34 of this Code.

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

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

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

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

2 Sec. 10-22.6. Suspension or expulsion of students; school
3 searches.

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

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

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

20 Any suspension shall be reported immediately to the
21 parents or guardians of a student along with a full statement
22 of the reasons for such suspension and a notice of their right
23 to a review. The school board must be given a summary of the
24 notice, including the reason for the suspension and the
25 suspension length. Upon request of the parents or guardians,
26 the school board or a hearing officer appointed by it shall

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

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

26 (b-10) Unless otherwise required by federal law or this

1 Code, school boards may not institute zero-tolerance policies
2 by which school administrators are required to suspend or
3 expel students for particular behaviors.

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

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

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

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

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

24 A school district shall create a policy to facilitate the
25 re-engagement of students who are suspended out-of-school,
26 expelled, or returning from an alternative school setting. In

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

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

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

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

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

25 (c) A school board must invite a representative from a
26 local mental health agency to consult with the board at the

1 meeting whenever there is evidence that mental illness may be
2 the cause of a student's expulsion or suspension.

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

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

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

1 24-1 of the Criminal Code of 2012. The expulsion period
2 under this subdivision (1) may be modified by the
3 superintendent, and the superintendent's determination may
4 be modified by the board on a case-by-case basis.

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

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

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

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

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

1 evidence that the student has violated or is violating either
2 the law, local ordinance, or the school's policies or rules,
3 such evidence may be seized by school authorities, and
4 disciplinary action may be taken. School authorities may also
5 turn over such evidence to law enforcement authorities.

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

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

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

26 (i) A student is prohibited from being ~~may not be~~ issued a

1 monetary fine or fee by any person as a disciplinary
2 consequence, though this does ~~shall~~ not preclude requiring a
3 student to provide restitution for lost, stolen, or damaged
4 property.

5 (i-5) As used in this subsection (i-5), "school personnel"
6 has the meaning given to that term in Section 27-23.7.

7 School personnel of a school district are prohibited from
8 referring a student to any other local public entity, as
9 defined in Section 1-206 of the Local Governmental and
10 Governmental Employees Tort Immunity Act, or a local law
11 enforcement agency for that entity or agency to issue the
12 student a monetary fine or fee as a disciplinary consequence.
13 This prohibition does not prohibit school personnel from
14 referring a matter to that appropriate entity or agency for a
15 violation of local, State, or federal law if necessary to
16 prevent an imminent threat of serious physical harm to the
17 student, other students, school personnel, or other persons,
18 for the purpose of self-defense or defense of property, or if
19 otherwise required to refer such a matter to the entity or
20 agency by local, State, or federal law.

21 (j) Subsections (a) through (i-5) ~~(i)~~ of this Section
22 shall apply to elementary and secondary schools, charter
23 schools, special charter districts, and school districts
24 organized under Article 34 of this Code.

25 (k) Through June 30, 2026, the expulsion of students
26 enrolled in programs funded under Section 1C-2 of this Code is

1 subject to the requirements under paragraph (7) of subsection
2 (a) of Section 2-3.71 of this Code.

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

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

15 (Source: P.A. 102-466, eff. 7-1-25; 102-539, eff. 8-20-21;
16 102-813, eff. 5-13-22; 103-594, eff. 6-25-24; 103-896, eff.
17 8-9-24; revised 9-25-24.)

18 (105 ILCS 5/26-12) (from Ch. 122, par. 26-12)

19 Sec. 26-12. Punitive action.

20 (a) No punitive action, including out-of-school
21 suspensions, expulsions, or court action, shall be taken
22 against truant minors for such truancy unless appropriate and
23 available supportive services and other school resources have
24 been provided to the student. Notwithstanding the provisions
25 of Section 10-22.6 of this Code, a truant minor may not be

1 expelled for nonattendance unless he or she has accrued 15
2 consecutive days of absences without valid cause and the
3 student cannot be located by the school district or the school
4 district has located the student but cannot, after exhausting
5 all available supportive services, compel the student to
6 return to school.

7 (b) A school district is prohibited from referring ~~may not~~
8 ~~refer~~ a truant, chronic truant, or truant minor to any other
9 local public entity, as defined under Section 1-206 of the
10 Local Governmental and Governmental Employees Tort Immunity
11 Act, for that local public entity to issue the child or the
12 child's parent or guardian a fine or a fee as punishment for
13 the child's ~~his or her~~ truancy.

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

1 as defined under Section 1-1-2 of the Illinois Municipal Code,
2 the school district must provide the following appropriate and
3 available services:

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

12 (2) For any child with a documented disability, a
13 meeting between the child, the person having custody or
14 control of the child, and relevant school personnel to
15 review the child's current needs and address the
16 appropriateness of the child's placement and services. For
17 any child subject to Article 14 of this Code, this meeting
18 shall be an individualized education program meeting and
19 shall include relevant members of the individualized
20 education program team. For any child with a disability
21 under Section 504 of the federal Rehabilitation Act of
22 1973 (29 U.S.C. 794), this meeting shall be a Section 504
23 plan review and include relevant members of the Section
24 504 plan team.

25 (3) For any child currently being evaluated by a
26 school district for a disability or for whom the school

1 has a basis of knowledge that the child is a child with a
2 disability under 20 U.S.C. 1415(k)(5), the completion of
3 the evaluation and determination of the child's
4 eligibility for special education services.

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

15 (Source: P.A. 100-810, eff. 1-1-19; 100-825, eff. 8-13-18;
16 101-81, eff. 7-12-19.)

17 (105 ILCS 5/27-23.7)

18 Sec. 27-23.7. Bullying prevention.

19 (a) The General Assembly finds that a safe and civil
20 school environment is necessary for students to learn and
21 achieve and that bullying causes physical, psychological, and
22 emotional harm to students and interferes with students'
23 ability to learn and participate in school activities. The
24 General Assembly further finds that bullying has been linked
25 to other forms of antisocial behavior, such as vandalism,

1 shoplifting, skipping and dropping out of school, fighting,
2 using drugs and alcohol, sexual harassment, and sexual
3 violence. Because of the negative outcomes associated with
4 bullying in schools, the General Assembly finds that school
5 districts, charter schools, and non-public, non-sectarian
6 elementary and secondary schools should educate students,
7 parents, and school district, charter school, or non-public,
8 non-sectarian elementary or secondary school personnel about
9 what behaviors constitute prohibited bullying.

10 Bullying on the basis of actual or perceived race, color,
11 religion, sex, national origin, ancestry, physical appearance,
12 socioeconomic status, academic status, pregnancy, parenting
13 status, homelessness, age, marital status, physical or mental
14 disability, military status, sexual orientation,
15 gender-related identity or expression, unfavorable discharge
16 from military service, association with a person or group with
17 one or more of the aforementioned actual or perceived
18 characteristics, or any other distinguishing characteristic is
19 prohibited in all school districts, charter schools, and
20 non-public, non-sectarian elementary and secondary schools. No
21 student shall be subjected to bullying:

22 (1) during any school-sponsored education program or
23 activity;

24 (2) while in school, on school property, on school
25 buses or other school vehicles, at designated school bus
26 stops waiting for the school bus, or at school-sponsored

1 or school-sanctioned events or activities;

2 (3) through the transmission of information from a
3 school computer, a school computer network, or other
4 similar electronic school equipment; or

5 (4) through the transmission of information from a
6 computer that is accessed at a nonschool-related location,
7 activity, function, or program or from the use of
8 technology or an electronic device that is not owned,
9 leased, or used by a school district or school if the
10 bullying causes a substantial disruption to the
11 educational process or orderly operation of a school. This
12 item (4) applies only in cases in which a school
13 administrator or teacher receives a report that bullying
14 through this means has occurred and does not require a
15 district or school to staff or monitor any
16 nonschool-related activity, function, or program.

17 (a-5) Nothing in this Section is intended to infringe upon
18 any right to exercise free expression or the free exercise of
19 religion or religiously based views protected under the First
20 Amendment to the United States Constitution or under Section 3
21 of Article I of the Illinois Constitution.

22 (b) In this Section:

23 "Bullying" includes "cyber-bullying" and means any severe
24 or pervasive physical or verbal act or conduct, including
25 communications made in writing or electronically, directed
26 toward a student or students that has or can be reasonably

1 predicted to have the effect of one or more of the following:

2 (1) placing the student or students in reasonable fear
3 of harm to the student's or students' person or property;

4 (2) causing a substantially detrimental effect on the
5 student's or students' physical or mental health;

6 (3) substantially interfering with the student's or
7 students' academic performance; or

8 (4) substantially interfering with the student's or
9 students' ability to participate in or benefit from the
10 services, activities, or privileges provided by a school.

11 Bullying, as defined in this subsection (b), may take
12 various forms, including without limitation one or more of the
13 following: harassment, threats, intimidation, stalking,
14 physical violence, sexual harassment, sexual violence, theft,
15 public humiliation, destruction of property, or retaliation
16 for asserting or alleging an act of bullying. This list is
17 meant to be illustrative and non-exhaustive.

18 "Cyber-bullying" means bullying through the use of
19 technology or any electronic communication, including without
20 limitation any transfer of signs, signals, writing, images,
21 sounds, data, or intelligence of any nature transmitted in
22 whole or in part by a wire, radio, electromagnetic system,
23 photoelectronic system, or photooptical system, including
24 without limitation electronic mail, Internet communications,
25 instant messages, or facsimile communications.

26 "Cyber-bullying" includes the creation of a webpage or weblog

1 in which the creator assumes the identity of another person or
2 the knowing impersonation of another person as the author of
3 posted content or messages if the creation or impersonation
4 creates any of the effects enumerated in the definition of
5 bullying in this Section. "Cyber-bullying" also includes the
6 distribution by electronic means of a communication to more
7 than one person or the posting of material on an electronic
8 medium that may be accessed by one or more persons if the
9 distribution or posting creates any of the effects enumerated
10 in the definition of bullying in this Section.

11 "Policy on bullying" means a bullying prevention policy
12 that meets the following criteria:

13 (1) Includes the bullying definition provided in this
14 Section.

15 (2) Includes a statement that bullying is contrary to
16 State law and the policy of the school district, charter
17 school, or non-public, non-sectarian elementary or
18 secondary school and is consistent with subsection (a-5)
19 of this Section.

20 (3) Includes procedures for promptly reporting
21 bullying, including, but not limited to, identifying and
22 providing the school e-mail address (if applicable) and
23 school telephone number for the staff person or persons
24 responsible for receiving such reports and a procedure for
25 anonymous reporting; however, this shall not be construed
26 to permit formal disciplinary action solely on the basis

1 of an anonymous report.

2 (4) Consistent with federal and State laws and rules
3 governing student privacy rights, includes procedures for
4 informing parents or guardians of all students involved in
5 the alleged incident of bullying within 24 hours after the
6 school's administration is made aware of the students'
7 involvement in the incident and discussing, as
8 appropriate, the availability of social work services,
9 counseling, school psychological services, other
10 interventions, and restorative measures. The school shall
11 make diligent efforts to notify a parent or legal
12 guardian, utilizing all contact information the school has
13 available or that can be reasonably obtained by the school
14 within the 24-hour period.

15 (5) Contains procedures for promptly investigating and
16 addressing reports of bullying, including the following:

17 (A) Making all reasonable efforts to complete the
18 investigation within 10 school days after the date the
19 report of the incident of bullying was received and
20 taking into consideration additional relevant
21 information received during the course of the
22 investigation about the reported incident of bullying.

23 (B) Involving appropriate school support personnel
24 and other staff persons with knowledge, experience,
25 and training on bullying prevention, as deemed
26 appropriate, in the investigation process.

1 (C) Notifying the principal or school
2 administrator or his or her designee of the report of
3 the incident of bullying as soon as possible after the
4 report is received.

5 (D) Consistent with federal and State laws and
6 rules governing student privacy rights, providing
7 parents and guardians of the students who are parties
8 to the investigation information about the
9 investigation and an opportunity to meet with the
10 principal or school administrator or his or her
11 designee to discuss the investigation, the findings of
12 the investigation, and the actions taken to address
13 the reported incident of bullying.

14 (6) Includes the interventions that can be taken to
15 address bullying, which may include, but are not limited
16 to, school social work services, restorative measures,
17 social-emotional skill building, counseling, school
18 psychological services, and community-based services.

19 (7) Includes a statement prohibiting reprisal or
20 retaliation against any person who reports an act of
21 bullying and the consequences and appropriate remedial
22 actions for a person who engages in reprisal or
23 retaliation.

24 (8) Includes consequences and appropriate remedial
25 actions for a person found to have falsely accused another
26 of bullying as a means of retaliation or as a means of

1 bullying.

2 (9) Is based on the engagement of a range of school
3 stakeholders, including students and parents or guardians.

4 (10) Is posted on the school district's, charter
5 school's, or non-public, non-sectarian elementary or
6 secondary school's existing, publicly accessible Internet
7 website, is included in the student handbook, and, where
8 applicable, posted where other policies, rules, and
9 standards of conduct are currently posted in the school
10 and provided periodically throughout the school year to
11 students and faculty, and is distributed annually to
12 parents, guardians, students, and school personnel,
13 including new employees when hired.

14 (11) As part of the process of reviewing and
15 re-evaluating the policy under subsection (d) of this
16 Section, contains a policy evaluation process to assess
17 the outcomes and effectiveness of the policy that
18 includes, but is not limited to, factors such as the
19 frequency of victimization; student, staff, and family
20 observations of safety at a school; identification of
21 areas of a school where bullying occurs; the types of
22 bullying utilized; and bystander intervention or
23 participation. The school district, charter school, or
24 non-public, non-sectarian elementary or secondary school
25 may use relevant data and information it already collects
26 for other purposes in the policy evaluation. The

1 information developed as a result of the policy evaluation
2 must be made available on the Internet website of the
3 school district, charter school, or non-public,
4 non-sectarian elementary or secondary school. If an
5 Internet website is not available, the information must be
6 provided to school administrators, school board members,
7 school personnel, parents, guardians, and students.

8 (12) Is consistent with the policies of the school
9 board, charter school, or non-public, non-sectarian
10 elementary or secondary school.

11 (13) Requires all individual instances of bullying, as
12 well as all threats, suggestions, or instances of
13 self-harm determined to be the result of bullying, to be
14 reported to the parents or legal guardians of those
15 involved under the guidelines provided in paragraph (4) of
16 this definition.

17 "Restorative measures" means a continuum of school-based
18 alternatives to exclusionary discipline, such as suspensions
19 and expulsions, that: (i) are adapted to the particular needs
20 of the school and community, (ii) contribute to maintaining
21 school safety, (iii) protect the integrity of a positive and
22 productive learning climate, (iv) teach students the personal
23 and interpersonal skills they will need to be successful in
24 school and society, (v) serve to build and restore
25 relationships among students, families, schools, and
26 communities, (vi) reduce the likelihood of future disruption

1 by balancing accountability with an understanding of students'
2 behavioral health needs in order to keep students in school,
3 and (vii) increase student accountability if the incident of
4 bullying is based on religion, race, ethnicity, or any other
5 category that is identified in the Illinois Human Rights Act.

6 "School personnel" means persons employed by, on contract
7 with, or who volunteer in a school district, charter school,
8 or non-public, non-sectarian elementary or secondary school,
9 including without limitation school and school district
10 administrators, teachers, school social workers, school
11 counselors, school psychologists, school nurses, cafeteria
12 workers, custodians, bus drivers, school resource officers as
13 defined in Section 10-20.68, and security guards.

14 (c) (Blank).

15 (d) Each school district, charter school, and non-public,
16 non-sectarian elementary or secondary school shall create,
17 maintain, and implement a policy on bullying, which policy
18 must be filed with the State Board of Education. The policy on
19 bullying shall be based on the State Board of Education's
20 template for a model bullying prevention policy under
21 subsection (h) and shall include the criteria set forth in the
22 definition of "policy on bullying". The policy or implementing
23 procedure shall include a process to investigate whether a
24 reported act of bullying is within the permissible scope of
25 the district's or school's jurisdiction and shall require that
26 the district or school provide the victim with information

1 regarding services that are available within the district and
2 community, such as counseling, support services, and other
3 programs. School personnel available for help with a bully or
4 to make a report about bullying shall be made known to parents
5 or legal guardians, students, and school personnel. Every 2
6 years, each school district, charter school, and non-public,
7 non-sectarian elementary or secondary school shall conduct a
8 review and re-evaluation of its policy and make any necessary
9 and appropriate revisions. No later than September 30 of the
10 subject year, the policy must be filed with the State Board of
11 Education after being updated. The State Board of Education
12 shall monitor and provide technical support for the
13 implementation of policies created under this subsection (d).
14 In monitoring the implementation of the policies, the State
15 Board of Education shall review each filed policy on bullying
16 to ensure all policies meet the requirements set forth in this
17 Section, including ensuring that each policy meets the 12
18 criterion identified within the definition of "policy on
19 bullying" set forth in this Section.

20 If a school district, charter school, or non-public,
21 non-sectarian elementary or secondary school fails to file a
22 policy on bullying by September 30 of the subject year, the
23 State Board of Education shall provide a written request for
24 filing to the school district, charter school, or non-public,
25 non-sectarian elementary or secondary school. If a school
26 district, charter school, or non-public, non-sectarian

1 elementary or secondary school fails to file a policy on
2 bullying within 14 days of receipt of the aforementioned
3 written request, the State Board of Education shall publish
4 notice of the non-compliance on the State Board of Education's
5 website.

6 Each school district, charter school, and non-public,
7 non-sectarian elementary or secondary school may provide
8 evidence-based professional development and youth programming
9 on bullying prevention that is consistent with the provisions
10 of this Section.

11 (e) This Section shall not be interpreted to prevent a
12 victim from seeking redress under any other available civil or
13 criminal law.

14 (f) School districts, charter schools, and non-public,
15 non-sectarian elementary and secondary schools shall collect,
16 maintain, and submit to the State Board of Education
17 non-identifiable data regarding verified allegations of
18 bullying within the school district, charter school, or
19 non-public, non-sectarian elementary or secondary school.
20 School districts, charter schools, and non-public,
21 non-sectarian elementary and secondary schools must submit
22 such data in an annual report due to the State Board of
23 Education no later than August 15 of each year starting with
24 the 2024-2025 school year through the 2030-2031 school year.
25 The State Board of Education shall adopt rules for the
26 submission of data that includes, but is not limited to: (i) a

1 record of each verified allegation of bullying and action
2 taken; and (ii) whether the instance of bullying was based on
3 actual or perceived characteristics identified in subsection
4 (a) and, if so, lists the relevant characteristics. The rules
5 for the submission of data shall be consistent with federal
6 and State laws and rules governing student privacy rights,
7 including, but not limited to, the federal Family Educational
8 Rights and Privacy Act of 1974 and the Illinois School Student
9 Records Act, which shall include, without limitation, a record
10 of each complaint and action taken. The State Board of
11 Education shall adopt rules regarding the notification of
12 school districts, charter schools, and non-public,
13 non-sectarian elementary and secondary schools that fail to
14 comply with the requirements of this subsection.

15 (g) Upon the request of a parent or legal guardian of a
16 child enrolled in a school district, charter school, or
17 non-public, non-sectarian elementary or secondary school
18 within this State, the State Board of Education must provide
19 non-identifiable data on the number of bullying allegations
20 and incidents in a given year in the school district, charter
21 school, or non-public, non-sectarian elementary or secondary
22 school to the requesting parent or legal guardian. The State
23 Board of Education shall adopt rules regarding (i) the
24 handling of such data, (ii) maintaining the privacy of the
25 students and families involved, and (iii) best practices for
26 sharing numerical data with parents and legal guardians.

1 (h) By January 1, 2024, the State Board of Education shall
2 post on its Internet website a template for a model bullying
3 prevention policy.

4 (i) The Illinois Bullying and Cyberbullying Prevention
5 Fund is created as a special fund in the State treasury. Any
6 moneys appropriated to the Fund may be used, subject to
7 appropriation, by the State Board of Education for the
8 purposes of subsection (j).

9 (j) Subject to appropriation, the State Superintendent of
10 Education may provide a grant to a school district, charter
11 school, or non-public, non-sectarian elementary or secondary
12 school to support its anti-bullying programming. Grants may be
13 awarded from the Illinois Bullying and Cyberbullying
14 Prevention Fund. School districts, charter schools, and
15 non-public, non-sectarian elementary or secondary schools that
16 are not in compliance with subsection (f) are not eligible to
17 receive a grant from the Illinois Bullying and Cyberbullying
18 Prevention Fund.

19 (Source: P.A. 102-197, eff. 7-30-21; 102-241, eff. 8-3-21;
20 102-813, eff. 5-13-22; 102-894, eff. 5-20-22; 103-47, eff.
21 6-9-23.)

22 Section 95. No acceleration or delay. Where this Act makes
23 changes in a statute that is represented in this Act by text
24 that is not yet or no longer in effect (for example, a Section
25 represented by multiple versions), the use of that text does

1 not accelerate or delay the taking effect of (i) the changes
2 made by this Act or (ii) provisions derived from any other
3 Public Act.