



Rep. Michelle Mussman

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1 AMENDMENT TO SENATE BILL 2427

2 AMENDMENT NO. _____. Amend Senate Bill 2427, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The School Code is amended by adding Sections
6 10-20.88, 27A-5.3, and 34-18.14a and by changing Section
7 10-22.6 as follows:

8 (105 ILCS 5/10-20.88 new)
9 Sec. 10-20.88. Wireless communication device policy.

10 (a) As used in this Section:

11 "School time" means the time students spend on a school
12 campus during the regular school day, beginning with the
13 designated arrival time for students through the designated
14 dismissal time for students, including instructional time,
15 recess, lunch, and passing periods. "School time" does not
16 include a before-school or after-school activity or a

1 student's presence at an off-campus learning opportunity.

2 "Wireless communication device" means any portable
3 wireless device that has the capability to provide voice,
4 messaging, or other data communication between 2 or more
5 parties, including, but not limited to:

6 (1) cellular telephones;

7 (2) tablet computers;

8 (3) laptop computers;

9 (4) gaming devices; and

10 (5) wearable devices, including smart watches or smart
11 glasses, except if those devices have disabled the
12 capability to provide messaging or transmit other data
13 communications.

14 "Wireless communication device" does not include any device
15 that a school district or teacher has directly issued to,
16 provided for, or required a student to possess and use for
17 educational purposes.

18 (b) On or before the beginning of the 2027-2028 school
19 year, each school board shall adopt and implement a wireless
20 communication device policy that:

21 (1) at a minimum, prohibits a student from using a
22 wireless communication device during school time, except
23 as otherwise provided in subsections (c) and (d);

24 (2) incorporates guidance for wireless communication
25 device storage within a school building during school
26 time;

1 (3) states the importance of uniform enforcement of
2 the policy in each school and the handling of
3 implementation in a trauma-informed, developmentally
4 appropriate manner; and

5 (4) if a school, as an administrative response for a
6 violation of the policy by a student, requires the
7 student's parent or guardian to retrieve the wireless
8 communication device at the school building, provides an
9 alternative for cases in which a parent or guardian is
10 unable to appear in person.

11 The policy adopted under this subsection and
12 administrative responses for violations of the policy shall be
13 published in a student handbook, if one exists.

14 (c) The policy adopted and implemented under subsection
15 (b) may not prohibit a student from using a wireless
16 communication device during school time under the following
17 circumstances:

18 (1) if a licensed physician, physician assistant, or
19 nurse practitioner determines that the possession or use
20 of a wireless communication device is necessary for the
21 management of the student's health care and the student
22 uses the wireless communication device only as prescribed
23 by the licensed physician, physician assistant, or nurse
24 practitioner;

25 (2) to fulfill an individualized education program, a
26 plan developed under Section 504 of the federal

1 Rehabilitation Act of 1973, the student's health care
2 provider's medical orders, or another written
3 accommodation plan;

4 (3) if school personnel have determined the wireless
5 communication device is necessary for students who are
6 English learners, as defined in Section 14C-2, to access
7 learning materials;

8 (4) if school personnel have determined, on a
9 case-by-case basis, the wireless communication device is
10 necessary for a student caregiver who is routinely
11 responsible for the care and well-being of a family
12 member; or

13 (5) as required by any other State or federal law.

14 (d) The policy adopted and implemented under subsection
15 (b) may allow for the following exceptions:

16 (1) at the discretion of the school district, the
17 school district may allow the definition of school time to
18 exclude a high school student's lunch and passing periods;

19 (2) if school personnel have authorized the student to
20 use a wireless communication device for educational
21 purposes; and

22 (3) in the event of an emergency as detailed in at
23 least one of the school district's emergency and crisis
24 response plans, protocols, or procedures.

25 (e) No school district may enforce the wireless
26 communication device policy through fees, fines, suspensions,

1 expulsions, or the deployment of a school resource officer or
2 local law enforcement officer; however, this prohibition does
3 not extend to the use of a wireless communication device to
4 engage in other gross disobedience or misconduct.

5 (f) The development of the policy in subsection (b) shall
6 include, at a minimum, input from the local collective
7 bargaining agent representing teachers, if any,
8 administrators, and parents or guardians. Student input in the
9 development of the policy in subsection (b) is encouraged.
10 Each school board shall review its wireless communication
11 device policy at least once every 3 years and make any
12 necessary and appropriate revisions to the policy. During this
13 review, each school board shall engage, at a minimum, the
14 local collective bargaining agent representing teachers, if
15 any, administrators, and parents or guardians for input and
16 consider any available data on the enforcement of the wireless
17 communication device policy. The development and review of the
18 wireless communication device policy in this subsection may be
19 accomplished through the use of the parent-teacher advisory
20 committee set forth in Section 10-20.14.

21 (g) A school board and any school personnel are immune
22 from any liability resulting from damage to a wireless
23 communication device if the device is stored in good faith and
24 in accordance with the school board's wireless communication
25 device policy. This subsection does not apply if the damage to
26 the wireless communication device is caused by the willful or

1 wanton conduct of school personnel.

2 (h) The wireless communication device policy shall be
3 posted on the school district's publicly accessible Internet
4 website. The wireless communication device policy shall be
5 provided annually to parents, guardians, and school personnel,
6 including new employees and substitute teachers when hired.
7 Provision of a hyperlink to the policy satisfies the
8 requirements of this subsection.

9 (i) By September 1, 2026, the State Board of Education
10 shall post on its website a template for a model wireless
11 communication device policy.

12 (j) If a school district has an existing wireless
13 communication device policy in place before the effective date
14 of this amendatory Act of the 104th General Assembly that
15 limits wireless communication devices during a majority of or
16 the entirety of the school day, the district may keep its
17 existing policy in place through the 2030-2031 school year, at
18 which point the district must adopt a wireless communication
19 device policy meeting the requirements of the policy described
20 in subsection (b).

21 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

22 Sec. 10-22.6. Suspension or expulsion of students; school
23 searches.

24 (a) To expel students guilty of gross disobedience or
25 misconduct, including gross disobedience or misconduct

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

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

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

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

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

10 (b-5) Among the many possible disciplinary interventions
11 and consequences available to school officials, school
12 exclusions, such as out-of-school suspensions and expulsions,
13 are the most serious. Out-of-school suspension or expulsion
14 may not be used if the sole grounds for the out-of-school
15 suspension or expulsion is that the student accessed a
16 wireless communication device in violation of the policy
17 adopted and implemented pursuant to Section 10-20.88, 27A-5.3,
18 or 34-18.14a; however, this limitation on out-of-school
19 suspension or expulsion does not extend to the use of a
20 wireless communication device to engage in other gross
21 disobedience or misconduct. School officials shall limit the
22 number and duration of expulsions and suspensions to the
23 greatest extent practicable, and it is recommended that they
24 use them only for legitimate educational purposes. To ensure
25 that students are not excluded from school unnecessarily, it
26 is 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 parents or guardians to notify school officials
16 that a student suspended from the school bus does not have
17 alternate transportation to school.

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

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

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

1 board or its appointed hearing officer to the alleged victim.

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

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

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

25 (1) A firearm. For the purposes of this Section,
26 "firearm" means any gun, rifle, shotgun, weapon as defined

1 by Section 921 of Title 18 of the United States Code,
2 firearm as defined in Section 1.1 of the Firearm Owners
3 Identification Card Act, or firearm as defined in Section
4 24-1 of the Criminal Code of 2012. The expulsion period
5 under this subdivision (1) may be modified by the
6 superintendent, and the superintendent's determination may
7 be modified by the board on a case-by-case basis.

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

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

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

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

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

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

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

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

26 (h) School officials shall not advise or encourage

1 students to drop out voluntarily due to behavioral or academic
2 difficulties.

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

7 A student must not be issued a monetary fine, fee, ticket,
8 or citation as a school-based disciplinary consequence or for
9 a municipal code violation or a violation of the policy
10 adopted and implemented pursuant to Section 10-20.88, 27A-5.3,
11 or 34-18.14a on school grounds during school hours or while
12 taking school transportation by any person, though this shall
13 not preclude requiring a student to provide restitution for
14 lost, stolen, or damaged property.

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

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

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

5 (k-5) On and after July 1, 2026, the expulsion of children
6 enrolled in programs funded under Section 15-25 of the
7 Department of Early Childhood Act is subject to the
8 requirements of paragraph (7) of subsection (a) of Section
9 15-30 of the Department of Early Childhood Act.

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

17 (Source: P.A. 103-594, eff. 6-25-24; 103-896, eff. 8-9-24;
18 104-417, eff. 8-15-25; 104-430, eff. 8-20-25.)

19 (105 ILCS 5/27A-5.3 new)

20 Sec. 27A-5.3. Wireless communication device policy.

21 (a) As used in this Section:

22 "School time" means the time students spend on a school
23 campus during the regular school day, beginning with the
24 designated arrival time for students through the designated
25 dismissal time for students, including instructional time,

1 recess, lunch, and passing periods. "School time" does not
2 include a before-school or after-school activity or a
3 student's presence at an off-campus learning opportunity.

4 "Wireless communication device" means any portable
5 wireless device that has the capability to provide voice,
6 messaging, or other data communication between 2 or more
7 parties, including, but not limited to:

8 (1) cellular telephones;

9 (2) tablet computers;

10 (3) laptop computers;

11 (4) gaming devices; and

12 (5) wearable devices, including smart watches or smart
13 glasses, except if those devices have disabled the
14 capability to provide messaging or transmit other data
15 communications.

16 "Wireless communication device" does not include any device
17 that a school district or teacher has directly issued to,
18 provided for, or required a student to possess and use for
19 educational purposes.

20 (b) On or before the beginning of the 2027-2028 school
21 year, each charter school shall adopt and implement a wireless
22 communication device policy that:

23 (1) at a minimum, prohibits a student from using a
24 wireless communication device during school time, except
25 as otherwise provided in subsections (c) and (d);

26 (2) incorporates guidance for wireless communication

1 device storage within a school building during school
2 time;

3 (3) states the importance of uniform enforcement of
4 the policy in each school and the handling of
5 implementation of the policy in a trauma-informed,
6 developmentally appropriate manner; and

7 (4) if a school, as an administrative response for a
8 violation of the policy by a student, requires the
9 student's parent or guardian to retrieve the wireless
10 communication device at the school building, provides an
11 alternative for cases in which a parent or guardian is
12 unable to appear in person.

13 The policy adopted under this subsection and
14 administrative responses for violations of the policy shall be
15 published in a student handbook, if one exists.

16 (c) The policy adopted and implemented under subsection
17 (b) may not prohibit a student from using a wireless
18 communication device during school time under the following
19 circumstances:

20 (1) if a licensed physician, physician assistant, or
21 nurse practitioner determines that the possession or use
22 of a wireless communication device is necessary for the
23 management of the student's health care and the student
24 uses the wireless communication device only as prescribed
25 by the licensed physician, physician assistant, or nurse
26 practitioner;

1 (2) to fulfill an individualized education program, a
2 plan developed under Section 504 of the federal
3 Rehabilitation Act of 1973, the student's health care
4 provider's medical orders, or another written
5 accommodation plan;

6 (3) if school personnel have determined the wireless
7 communication device is necessary for students who are
8 English learners, as defined in Section 14C-2, to access
9 learning materials;

10 (4) if school personnel have determined, on a
11 case-by-case basis, the wireless communication device is
12 necessary for a student caregiver who is routinely
13 responsible for the care and well-being of a family
14 member; or

15 (5) as required by any other State or federal law.

16 (d) The policy adopted and implemented under subsection
17 (b) may allow for the following exceptions:

18 (1) at the discretion of the charter school, the
19 charter school may allow the definition of school time to
20 exclude a high school student's lunch and passing periods;

21 (2) if school personnel have authorized the student to
22 use a wireless communication device for educational
23 purposes; and

24 (3) in the event of an emergency as detailed in at
25 least one of the charter school's emergency and crisis
26 response plans, protocols, or procedures.

1 (e) No charter school may enforce the wireless
2 communication device policy through fees, fines, suspensions,
3 expulsions, or the deployment of a school resource officer or
4 local law enforcement officer; however, this prohibition does
5 not extend to the use of a wireless communication device to
6 engage in other gross disobedience or misconduct.

7 (f) The development of the policy in subsection (b) shall
8 include, at a minimum, input from the local collective
9 bargaining agent representing teachers, if any,
10 administrators, and parents or guardians. Student input in the
11 development of the policy in subsection (b) is encouraged.
12 Each charter school shall review its wireless communication
13 device policy at least once every 3 years and make any
14 necessary and appropriate revisions to the policy. During this
15 review, each charter school shall engage, at a minimum, the
16 local collective bargaining agent representing teachers, if
17 any, administrators, and parents or guardians for input and
18 consider any available data on the enforcement of the wireless
19 communication device policy.

20 (g) The governing body of a charter school and any school
21 personnel are immune from any liability resulting from damage
22 to a wireless communication device if the device is stored in
23 good faith and in accordance with the charter school's
24 wireless communication device policy. This subsection does not
25 apply if the damage to the wireless communication device is
26 caused by the willful or wanton conduct of school personnel.

1 (h) The wireless communication device policy shall be
2 posted on the charter school's publicly accessible Internet
3 website. The wireless communication device policy shall be
4 provided annually to parents, guardians, and school personnel,
5 including new employees and substitute teachers when hired.
6 Provision of a hyperlink to the policy satisfies the
7 requirements of this subsection.

8 (i) If a charter school has an existing wireless
9 communication device policy in place before the effective date
10 of this amendatory Act of the 104th General Assembly that
11 limits wireless communication devices during a majority of or
12 the entirety of the school day, the charter school may keep its
13 existing policy in place through the 2030-2031 school year, at
14 which point the charter school must adopt a wireless
15 communication device policy meeting the requirements of the
16 policy described in subsection (b).

17 (105 ILCS 5/34-18.14a new)

18 Sec. 34-18.14a. Wireless communication device policy.

19 (a) As used in this Section:

20 "School time" means the time students spend on a school
21 campus during the regular school day, beginning with the
22 designated arrival time for students through the designated
23 dismissal time for students, including instructional time,
24 recess, lunch, and passing periods. "School time" does not
25 include a before-school or after-school activity or a

1 student's presence at an off-campus learning opportunity.

2 "Wireless communication device" means any portable
3 wireless device that has the capability to provide voice,
4 messaging, or other data communication between 2 or more
5 parties, including, but not limited to:

6 (1) cellular telephones;

7 (2) tablet computers;

8 (3) laptop computers;

9 (4) gaming devices; and

10 (5) wearable devices, including smart watches or smart
11 glasses, except if those devices have disabled the
12 capability to provide messaging or transmit other data
13 communications.

14 "Wireless communication device" does not include any device
15 that a school district or teacher has directly issued to,
16 provided for, or required a student to possess and use for
17 educational purposes.

18 (b) On or before the beginning of the 2027-2028 school
19 year, the board shall adopt and implement a wireless
20 communication device policy that:

21 (1) at a minimum, prohibits a student from using a
22 wireless communication device during school time, except
23 as otherwise provided in subsections (c) and (d);

24 (2) incorporates guidance for wireless communication
25 device storage within a school building during school
26 time;

1 (3) states the importance of uniform enforcement of
2 the policy in each school and the handling of
3 implementation of the policy in a trauma-informed,
4 developmentally appropriate manner; and

5 (4) if a school, as an administrative response for a
6 violation of the policy by a student, requires the
7 student's parent or guardian to retrieve the wireless
8 communication device at the school building, provides an
9 alternative for cases in which a parent or guardian is
10 unable to appear in person.

11 The policy adopted under this subsection and
12 administrative responses for violations of the policy shall be
13 published in a student handbook, if one exists.

14 (c) The policy adopted and implemented under subsection
15 (b) may not prohibit a student from using a wireless
16 communication device during school time under the following
17 circumstances:

18 (1) if a licensed physician, physician assistant, or
19 nurse practitioner determines that the possession or use
20 of a wireless communication device is necessary for the
21 management of the student's health care and the student
22 uses the wireless communication device only as prescribed
23 by the licensed physician, physician assistant, or nurse
24 practitioner;

25 (2) to fulfill an individualized education program, a
26 plan developed under Section 504 of the federal

1 Rehabilitation Act of 1973, the student's health care
2 provider's medical orders, or another written
3 accommodation plan;

4 (3) if school personnel have determined the wireless
5 communication device is necessary for students who are
6 English learners, as defined in Section 14C-2, to access
7 learning materials;

8 (4) if school personnel have determined, on a
9 case-by-case basis, the wireless communication device is
10 necessary for a student caregiver who is routinely
11 responsible for the care and well-being of a family
12 member; or

13 (5) as required by any other State or federal law.

14 (d) The policy adopted and implemented under subsection
15 (b) may allow for the following exceptions:

16 (1) at the discretion of the school district, the
17 school district may allow the definition of school time to
18 exclude a high school student's lunch and passing periods;

19 (2) if school personnel have authorized the student to
20 use a wireless communication device for educational
21 purposes; and

22 (3) in the event of an emergency as detailed in at
23 least one of the school district's emergency and crisis
24 response plans, protocols, or procedures.

25 (e) The school district may not enforce the wireless
26 communication device policy through fees, fines, suspensions,

1 expulsions, or the deployment of a school resource officer or
2 local law enforcement officer; however, this prohibition does
3 not extend to the use of a wireless communication device to
4 engage in other gross disobedience or misconduct.

5 (f) The development of the policy in subsection (b) shall
6 include, at a minimum, input from the local collective
7 bargaining agent representing teachers, if any,
8 administrators, and parents or guardians. Student input in the
9 development of the policy in subsection (b) is encouraged. The
10 board shall review its wireless communication device policy at
11 least once every 3 years and make any necessary and
12 appropriate revisions to the policy. During this review, The
13 board shall engage, at a minimum, the local collective
14 bargaining agent representing teachers, if any,
15 administrators, and parents or guardians for input and
16 consider any available data on the enforcement of the wireless
17 communication device policy.

18 (g) The board and any school personnel are immune from any
19 liability resulting from damage to a wireless communication
20 device if the device is stored in good faith and in accordance
21 with the board's wireless communication device policy. This
22 subsection does not apply if the damage to the wireless
23 communication device is caused by the willful or wanton
24 conduct of school personnel.

25 (h) The wireless communication device policy shall be
26 posted on the school district's publicly accessible Internet

1 website. The wireless communication device policy shall be
2 provided annually to parents, guardians, and school personnel,
3 including new employees and substitute teachers when hired.
4 Provision of a hyperlink to the policy satisfies the
5 requirements of this subsection.

6 (i) If the school district has an existing wireless
7 communication device policy in place before the effective date
8 of this amendatory Act of the 104th General Assembly that
9 limits wireless communication devices during a majority of or
10 the entirety of the school day, the district may keep its
11 existing policy in place through the 2030-2031 school year, at
12 which point the district must adopt a wireless communication
13 device policy meeting the requirements of the policy described
14 in subsection (b).

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."