

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

7 (105 ILCS 5/10-20.88 new)

8 Sec. 10-20.88. Wireless communication device policy.

9 (a) As used in this Section:

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

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

21 (1) cellular telephones;

22 (2) tablet computers;

23 (3) laptop computers;

1 (4) gaming devices; and
2 (5) wearable devices, including smart watches or smart
3 glasses, except if those devices have disabled the
4 capability to provide messaging or transmit other data
5 communications.

6 "Wireless communication device" does not include any device
7 that a school district or teacher has directly issued to,
8 provided for, or required a student to possess and use for
9 educational purposes.

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

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

16 (2) incorporates guidance for wireless communication
17 device storage within a school building during school
18 time;

19 (3) states the importance of uniform enforcement of
20 the policy in each school and the handling of
21 implementation in a trauma-informed, developmentally
22 appropriate manner; and

23 (4) if a school, as an administrative response for a
24 violation of the policy by a student, requires the
25 student's parent or guardian to retrieve the wireless
26 communication device at the school building, provides an

1 alternative for cases in which a parent or guardian is
2 unable to appear in person.

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

6 (c) The policy adopted and implemented under subsection
7 (b) may not prohibit a student from using a wireless
8 communication device during school time under the following
9 circumstances:

10 (1) if a licensed physician, physician assistant, or
11 nurse practitioner determines that the possession or use
12 of a wireless communication device is necessary for the
13 management of the student's health care and the student
14 uses the wireless communication device only as prescribed
15 by the licensed physician, physician assistant, or nurse
16 practitioner;

17 (2) to fulfill an individualized education program, a
18 plan developed under Section 504 of the federal
19 Rehabilitation Act of 1973, the student's health care
20 provider's medical orders, or another written
21 accommodation plan;

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

26 (4) if school personnel have determined, on a

1 case-by-case basis, the wireless communication device is
2 necessary for a student caregiver who is routinely
3 responsible for the care and well-being of a family
4 member; or

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

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

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

11 (2) if school personnel have authorized the student to
12 use a wireless communication device for educational
13 purposes; and

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

17 (e) No school district may enforce the wireless
18 communication device policy through fees, fines, suspensions,
19 expulsions, or the deployment of a school resource officer or
20 local law enforcement officer; however, this prohibition does
21 not extend to the use of a wireless communication device to
22 engage in other gross disobedience or misconduct.

23 (f) The development of the policy in subsection (b) shall
24 include, at a minimum, input from the local collective
25 bargaining agent representing teachers, if any,
26 administrators, and parents or guardians. Student input in the

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

13 (g) A school board and any school personnel are immune
14 from any liability resulting from damage to a wireless
15 communication device if the device is stored in good faith and
16 in accordance with the school board's wireless communication
17 device policy. This subsection does not apply if the damage to
18 the wireless communication device is caused by the willful or
19 wanton conduct of school personnel.

20 (h) The wireless communication device policy shall be
21 posted on the school district's publicly accessible Internet
22 website. The wireless communication device policy shall be
23 provided annually to parents, guardians, and school personnel,
24 including new employees and substitute teachers when hired.
25 Provision of a hyperlink to the policy satisfies the
26 requirements of this subsection.

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

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

13 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

14 Sec. 10-22.6. Suspension or expulsion of students; school
15 searches.

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

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

18 (b) To suspend or by policy to authorize the
19 superintendent of the district or the principal, assistant
20 principal, or dean of students of any school to suspend
21 students guilty of gross disobedience or misconduct, or to
22 suspend students guilty of gross disobedience or misconduct on
23 the school bus from riding the school bus, pursuant to
24 subsections (b-15) and (b-20) of this Section, and no action
25 shall lie against them for such suspension. The board may by
26 policy authorize the superintendent of the district or the

1 principal, assistant principal, or dean of students of any
2 school to suspend students guilty of such acts for a period not
3 to exceed 10 school days. If a student is suspended due to
4 gross disobedience or misconduct on a school bus, the board
5 may suspend the student in excess of 10 school days for safety
6 reasons.

7 Any suspension shall be reported immediately to the
8 parents or guardians of a student along with a full statement
9 of the reasons for such suspension and a notice of their right
10 to a review. The school board must be given a summary of the
11 notice, including the reason for the suspension and the
12 suspension length. Upon request of the parents or guardians,
13 the school board or a hearing officer appointed by it shall
14 review such action of the superintendent or principal,
15 assistant principal, or dean of students. At such review, the
16 parents or guardians of the student may appear and discuss the
17 suspension with the board or its hearing officer. If a hearing
18 officer is appointed by the board, he shall report to the board
19 a written summary of the evidence heard at the meeting. After
20 its hearing or upon receipt of the written report of its
21 hearing officer, the board may take such action as it finds
22 appropriate. If a student is suspended pursuant to this
23 subsection (b), the board shall, in the written suspension
24 decision, detail the specific act of gross disobedience or
25 misconduct resulting in the decision to suspend. The
26 suspension decision shall also include a rationale as to the

1 specific duration of the suspension.

2 (b-5) Among the many possible disciplinary interventions
3 and consequences available to school officials, school
4 exclusions, such as out-of-school suspensions and expulsions,
5 are the most serious. Out-of-school suspension or expulsion
6 may not be used if the sole grounds for the out-of-school
7 suspension or expulsion is that the student accessed a
8 wireless communication device in violation of the policy
9 adopted and implemented pursuant to Section 10-20.88, 27A-5.3,
10 or 34-18.14a; however, this limitation on out-of-school
11 suspension or expulsion does not extend to the use of a
12 wireless communication device to engage in other gross
13 disobedience or misconduct. School officials shall limit the
14 number and duration of expulsions and suspensions to the
15 greatest extent practicable, and it is recommended that they
16 use them only for legitimate educational purposes. To ensure
17 that students are not excluded from school unnecessarily, it
18 is recommended that school officials consider forms of
19 non-exclusionary discipline prior to using out-of-school
20 suspensions or expulsions.

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

25 (b-15) Out-of-school suspensions of 3 days or less may be
26 used only if the student's continuing presence in school would

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

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

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

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

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

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

1 Section 13A-4 on or before July 1, 2025.

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

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

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

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

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

24 (c-5) School districts shall make reasonable efforts to
25 provide ongoing professional development to all school
26 personnel, school board members, and school resource officers

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

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

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

26 (2) A knife, brass knuckles or other knuckle weapon

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

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

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

1 the threat could be reasonably interpreted as threatening to
2 the safety and security of the threatened individual because
3 of the individual's duties or employment status or status as a
4 student inside the school.

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

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

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

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

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

25 A student must not be issued a monetary fine, fee, ticket,
26 or citation as a school-based disciplinary consequence or for

1 a municipal code violation or a violation of the policy
2 adopted and implemented pursuant to Section 10-20.88, 27A-5.3,
3 or 34-18.14a on school grounds during school hours or while
4 taking school transportation by any person, though this shall
5 not preclude requiring a student to provide restitution for
6 lost, stolen, or damaged property.

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

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

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

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

1 15-30 of the Department of Early Childhood Act.

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

9 (Source: P.A. 103-594, eff. 6-25-24; 103-896, eff. 8-9-24;
10 104-417, eff. 8-15-25; 104-430, eff. 8-20-25.)

11 (105 ILCS 5/27A-5.3 new)

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

13 (a) As used in this Section:

14 "School time" means the time students spend on a school
15 campus during the regular school day, beginning with the
16 designated arrival time for students through the designated
17 dismissal time for students, including instructional time,
18 recess, lunch, and passing periods. "School time" does not
19 include a before-school or after-school activity or a
20 student's presence at an off-campus learning opportunity.

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

25 (1) cellular telephones;

1 (2) tablet computers;
2 (3) laptop computers;
3 (4) gaming devices; and
4 (5) wearable devices, including smart watches or smart
5 glasses, except if those devices have disabled the
6 capability to provide messaging or transmit other data
7 communications.

8 "Wireless communication device" does not include any device
9 that a school district or teacher has directly issued to,
10 provided for, or required a student to possess and use for
11 educational purposes.

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

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

18 (2) incorporates guidance for wireless communication
19 device storage within a school building during school
20 time;

21 (3) states the importance of uniform enforcement of
22 the policy in each school and the handling of
23 implementation of the policy in a trauma-informed,
24 developmentally appropriate manner; and

25 (4) if a school, as an administrative response for a
26 violation of the policy by a student, requires the

1 student's parent or guardian to retrieve the wireless
2 communication device at the school building, provides an
3 alternative for cases in which a parent or guardian is
4 unable to appear in person.

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

8 (c) The policy adopted and implemented under subsection
9 (b) may not prohibit a student from using a wireless
10 communication device during school time under the following
11 circumstances:

12 (1) if a licensed physician, physician assistant, or
13 nurse practitioner determines that the possession or use
14 of a wireless communication device is necessary for the
15 management of the student's health care and the student
16 uses the wireless communication device only as prescribed
17 by the licensed physician, physician assistant, or nurse
18 practitioner;

19 (2) to fulfill an individualized education program, a
20 plan developed under Section 504 of the federal
21 Rehabilitation Act of 1973, the student's health care
22 provider's medical orders, or another written
23 accommodation plan;

24 (3) if school personnel have determined the wireless
25 communication device is necessary for students who are
26 English learners, as defined in Section 14C-2, to access

1 learning materials;

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

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

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

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

13 (2) if school personnel have authorized the student to
14 use a wireless communication device for educational
15 purposes; and

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

19 (e) No charter school may enforce the wireless
20 communication device policy through fees, fines, suspensions,
21 expulsions, or the deployment of a school resource officer or
22 local law enforcement officer; however, this prohibition does
23 not extend to the use of a wireless communication device to
24 engage in other gross disobedience or misconduct.

25 (f) The development of the policy in subsection (b) shall
26 include, at a minimum, input from the local collective

1 bargaining agent representing teachers, if any,
2 administrators, and parents or guardians. Student input in the
3 development of the policy in subsection (b) is encouraged.
4 Each charter school shall review its wireless communication
5 device policy at least once every 3 years and make any
6 necessary and appropriate revisions to the policy. During this
7 review, each charter school shall engage, at a minimum, the
8 local collective bargaining agent representing teachers, if
9 any, administrators, and parents or guardians for input and
10 consider any available data on the enforcement of the wireless
11 communication device policy.

12 (g) The governing body of a charter school and any school
13 personnel are immune from any liability resulting from damage
14 to a wireless communication device if the device is stored in
15 good faith and in accordance with the charter school's
16 wireless communication device policy. This subsection does not
17 apply if the damage to the wireless communication device is
18 caused by the willful or wanton conduct of school personnel.

19 (h) The wireless communication device policy shall be
20 posted on the charter school's publicly accessible Internet
21 website. The wireless communication device policy shall be
22 provided annually to parents, guardians, and school personnel,
23 including new employees and substitute teachers when hired.
24 Provision of a hyperlink to the policy satisfies the
25 requirements of this subsection.

26 (i) If a charter school has an existing wireless

1 communication device policy in place before the effective date
2 of this amendatory Act of the 104th General Assembly that
3 limits wireless communication devices during a majority of or
4 the entirety of the school day, the charter school may keep its
5 existing policy in place through the 2030-2031 school year, at
6 which point the charter school must adopt a wireless
7 communication device policy meeting the requirements of the
8 policy described in subsection (b).

9 (105 ILCS 5/34-18.14a new)

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

11 (a) As used in this Section:

12 "School time" means the time students spend on a school
13 campus during the regular school day, beginning with the
14 designated arrival time for students through the designated
15 dismissal time for students, including instructional time,
16 recess, lunch, and passing periods. "School time" does not
17 include a before-school or after-school activity or a
18 student's presence at an off-campus learning opportunity.

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

23 (1) cellular telephones;

24 (2) tablet computers;

25 (3) laptop computers;

1 (4) gaming devices; and
2 (5) wearable devices, including smart watches or smart
3 glasses, except if those devices have disabled the
4 capability to provide messaging or transmit other data
5 communications.

6 "Wireless communication device" does not include any device
7 that a school district or teacher has directly issued to,
8 provided for, or required a student to possess and use for
9 educational purposes.

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

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

16 (2) incorporates guidance for wireless communication
17 device storage within a school building during school
18 time;

19 (3) states the importance of uniform enforcement of
20 the policy in each school and the handling of
21 implementation of the policy in a trauma-informed,
22 developmentally appropriate manner; and

23 (4) if a school, as an administrative response for a
24 violation of the policy by a student, requires the
25 student's parent or guardian to retrieve the wireless
26 communication device at the school building, provides an

1 alternative for cases in which a parent or guardian is
2 unable to appear in person.

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

6 (c) The policy adopted and implemented under subsection
7 (b) may not prohibit a student from using a wireless
8 communication device during school time under the following
9 circumstances:

10 (1) if a licensed physician, physician assistant, or
11 nurse practitioner determines that the possession or use
12 of a wireless communication device is necessary for the
13 management of the student's health care and the student
14 uses the wireless communication device only as prescribed
15 by the licensed physician, physician assistant, or nurse
16 practitioner;

17 (2) to fulfill an individualized education program, a
18 plan developed under Section 504 of the federal
19 Rehabilitation Act of 1973, the student's health care
20 provider's medical orders, or another written
21 accommodation plan;

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

26 (4) if school personnel have determined, on a

1 case-by-case basis, the wireless communication device is
2 necessary for a student caregiver who is routinely
3 responsible for the care and well-being of a family
4 member; or

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

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

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

11 (2) if school personnel have authorized the student to
12 use a wireless communication device for educational
13 purposes; and

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

17 (e) The school district may not enforce the wireless
18 communication device policy through fees, fines, suspensions,
19 expulsions, or the deployment of a school resource officer or
20 local law enforcement officer; however, this prohibition does
21 not extend to the use of a wireless communication device to
22 engage in other gross disobedience or misconduct.

23 (f) The development of the policy in subsection (b) shall
24 include, at a minimum, input from the local collective
25 bargaining agent representing teachers, if any,
26 administrators, and parents or guardians. Student input in the

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

10 (g) The board and any school personnel are immune from any
11 liability resulting from damage to a wireless communication
12 device if the device is stored in good faith and in accordance
13 with the board's wireless communication device policy. This
14 subsection does not apply if the damage to the wireless
15 communication device is caused by the willful or wanton
16 conduct of school personnel.

17 (h) The wireless communication device policy shall be
18 posted on the school district's publicly accessible Internet
19 website. The wireless communication device policy shall be
20 provided annually to parents, guardians, and school personnel,
21 including new employees and substitute teachers when hired.
22 Provision of a hyperlink to the policy satisfies the
23 requirements of this subsection.

24 (i) If the school district has an existing wireless
25 communication device policy in place before the effective date
26 of this amendatory Act of the 104th General Assembly that

1 limits wireless communication devices during a majority of or
2 the entirety of the school day, the district may keep its
3 existing policy in place through the 2030-2031 school year, at
4 which point the district must adopt a wireless communication
5 device policy meeting the requirements of the policy described
6 in subsection (b).

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.