



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB4031

Introduced 2/6/2026, by Sen. Willie Preston

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/22-112 new  
105 ILCS 5/27A-5

Amends the School Code. Sets forth measures to be taken when an offense of bullying occurs and is reported to a public school, including a charter school, depending on the severity of the bullying offense, including hearing requirements, compulsory, school-based, restorative-justice requirements, community service requirements, and counseling requirements for minor offenders; hearing requirements, administrative fee requirements, and education session requirements for parents or guardians of minor offenders; and victim support. Requires the State Board of Education to annually report to the School Crime Supplement to the National Crime Victimization Survey of the National Center for Education Statistics any incidents of bullying, the number of hearings relating to incidents of bullying, restorative-justice program outcomes, disciplinary actions, and follow-up metrics by demographics. Requires the State Board to conduct an annual audit of schools that participate in the restorative measures to determine anti-bullying metrics for the report. Makes other changes.

LRB104 17640 LNS 31071 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 School Code is amended by adding Section  
5 22-112 and changing Section 27A-5 as follows:

6 (105 ILCS 5/22-112 new)

7 Sec. 22-112. Bullying accountability.

8 (a) This Section applies to:

9 (1) minors enrolled in kindergarten through grade 12;

10 and

11 (2) incidents of bullying that occur at school, at  
12 school-sponsored activities, during transportation to or  
13 from school, or in digital or online contexts if the  
14 bullying interferes with school or victim attendance.

15 (b) As used in this Section:

16 "Bullying" has the meaning given to that term in  
17 subsection (b) of Section 22-110. "Bullying" includes  
18 cyberbullying, school bullying, and community bullying.

19 "Bullying offense of major severity" means repeated  
20 bullying, assault, or cyberbullying with serious harm.

21 "Community bullying" means bullying occurring in  
22 off-campus locations, such as neighborhoods and recreation  
23 centers, but still affecting minors in educational settings.



1 school-based, restorative-justice program for 4  
2 weeks;

3 (iii) write a letter of apology to the victim  
4 and create a video delivery of the apology, with  
5 oversight;

6 (iv) perform 10 to 20 hours of community  
7 service at the minor offender's school or in the  
8 minor offender's community; and

9 (v) attend at least one mandatory counseling  
10 session;

11 (B) the parent or guardian of the minor offender  
12 shall:

13 (i) attend the juvenile hearing or court under  
14 item (i) of subparagraph (A) with the minor  
15 offender;

16 (ii) pay an administrative fee of \$250 to the  
17 Illinois Bullying and Cyberbullying Prevention  
18 Fund; and

19 (iii) attend at least one parent or guardian  
20 education session about bullying, mental health,  
21 or digital citizenship; and

22 (C) the victim of the minor offender shall:

23 (i) receive free counseling; and

24 (ii) have the victim's attendance, grades, and  
25 self-reported mental health monitored for 90 days  
26 following the report of the bullying offense.

1           (2) For a second bullying offense or a bullying  
2 offense of moderate severity:

3           (A) a minor offender shall:

4                   (i) appear at a juvenile hearing or designated  
5 court within 30 days after the bullying offense is  
6 reported;

7                   (ii) participate in a compulsory,  
8 school-based, restorative-justice program for 8  
9 weeks;

10                   (iii) perform 30 to 50 hours of community  
11 service at the minor offender's school or in the  
12 minor offender's community;

13                   (iv) attend mandatory counseling sessions  
14 every 2 weeks for 3 months; and

15                   (v) lose select extracurricular participation,  
16 as determined by the school, for a semester;

17           (B) the parent or guardian of the minor offender  
18 shall:

19                   (i) attend the juvenile hearing or court under  
20 item (i) of subparagraph (A) with the minor  
21 offender;

22                   (ii) pay an administrative fee of \$500 to the  
23 Illinois Bullying and Cyberbullying Prevention  
24 Fund; and

25                   (iii) attend a full day of a parent or  
26 guardian education session about bullying, mental

1 health, or digital citizenship and sign a  
2 behavioral contract with the school regarding the  
3 minor offender's behavior; and

4 (C) the victim of the minor offender shall:

5 (i) receive free counseling and enhanced  
6 support for 6 months; and

7 (ii) create, with the school and the victim's  
8 parent or guardian, a student-safety plan.

9 (3) For a third bullying offense or a bullying offense  
10 of major severity:

11 (A) a minor offender shall:

12 (i) appear at a juvenile hearing or designated  
13 court within 30 days after the bullying offense is  
14 reported, when may result in a court filing and  
15 detention or a supervised program;

16 (ii) participate in a compulsory,  
17 school-based, restorative-justice program for at  
18 least 3 months;

19 (iii) perform at least 100 hours of community  
20 service at the minor offender's school or in the  
21 minor offender's community; and

22 (iv) attend mandatory counseling sessions for  
23 at least 6 months;

24 (B) at the school's discretion, the minor offender  
25 may be expelled from the school and transferred to an  
26 alternative program with a mandatory credits catch-up

1 clause;

2 (C) the parent or guardian of the minor offender  
3 shall:

4 (i) attend the juvenile hearing or court under  
5 item (i) of subparagraph (A) with the minor  
6 offender and any juvenile court date, if  
7 applicable; the parent or guardian has a legal  
8 obligation to bring the minor offender to any  
9 juvenile court date, and if the parent or guardian  
10 fails to do so, the court may hold the parent or  
11 guardian in contempt;

12 (ii) pay an administrative fee of \$1,000 to  
13 the Illinois Bullying and Cyberbullying Prevention  
14 Fund; and

15 (iii) pay for the victim's therapy and any  
16 credit make-up program, if applicable; and

17 (D) the victim of the minor offender shall receive  
18 free counseling, free educational tutoring, free  
19 mentoring, and free wellness-check insurance for at  
20 least 12 months.

21 (e) A school shall provide student and parent or guardian  
22 education sessions covering bullying, mental health, digital  
23 citizenship, and bystander intervention; crisis-intervention  
24 teams and access to counselors; and reintegration services for  
25 minor offenders, including catch-up courses and community  
26 service reflection.

1       (f) Any money provided to a school under this Section from  
2       a federal grant shall be used for school-based, anti-bullying  
3       initiatives, mental health services, reintegration programs  
4       for minor offenders, and peer mentorship. Any funding received  
5       under this Section from a federal grant is contingent on  
6       compliance with the reporting requirements under subsection  
7       (g).

8       (g) The State Board shall annually report to the School  
9       Crime Supplement to the National Crime Victimization Survey of  
10       the National Center for Education Statistics any incidents of  
11       bullying, the number of hearings relating to incidents of  
12       bullying, restorative-justice program outcomes, disciplinary  
13       actions, and follow-up metrics, such as attendance, grades,  
14       and mental health surveys, by demographics, such as ages and  
15       types of schools.

16       (h) The State Board shall annually audit schools that  
17       participate in the restorative measures under subsection (d)  
18       to determine anti-bullying metrics for the report required  
19       under subsection (g).

20       Section 10. The School Code is amended by changing Section  
21       27A-5 as follows:

22       (105 ILCS 5/27A-5)

23       Sec. 27A-5. Charter school; legal entity; requirements.

24       (a) A charter school shall be a public, nonsectarian,

1 nonreligious, non-home based, and non-profit school. A charter  
2 school shall be organized and operated as a nonprofit  
3 corporation or other discrete, legal, nonprofit entity  
4 authorized under the laws of the State of Illinois.

5 (b) A charter school may be established under this Article  
6 by creating a new school or by converting an existing public  
7 school or attendance center to charter school status. In all  
8 new applications to establish a charter school in a city  
9 having a population exceeding 500,000, operation of the  
10 charter school shall be limited to one campus. This limitation  
11 does not apply to charter schools existing or approved on or  
12 before April 16, 2003.

13 (b-5) (Blank).

14 (c) A charter school shall be administered and governed by  
15 its board of directors or other governing body in the manner  
16 provided in its charter. The governing body of a charter  
17 school shall be subject to the Freedom of Information Act and  
18 the Open Meetings Act. A charter school's board of directors  
19 or other governing body must include at least one parent or  
20 guardian of a pupil currently enrolled in the charter school  
21 who may be selected through the charter school or a charter  
22 network election, appointment by the charter school's board of  
23 directors or other governing body, or by the charter school's  
24 Parent Teacher Organization or its equivalent.

25 (c-5) No later than January 1, 2021 or within the first  
26 year of his or her first term, every voting member of a charter

1 school's board of directors or other governing body shall  
2 complete a minimum of 4 hours of professional development  
3 leadership training to ensure that each member has sufficient  
4 familiarity with the board's or governing body's role and  
5 responsibilities, including financial oversight and  
6 accountability of the school, evaluating the principal's and  
7 school's performance, adherence to the Freedom of Information  
8 Act and the Open Meetings Act, and compliance with education  
9 and labor law. In each subsequent year of his or her term, a  
10 voting member of a charter school's board of directors or  
11 other governing body shall complete a minimum of 2 hours of  
12 professional development training in these same areas. The  
13 training under this subsection may be provided or certified by  
14 a statewide charter school membership association or may be  
15 provided or certified by other qualified providers approved by  
16 the State Board.

17 (d) For purposes of this subsection (d), "non-curricular  
18 health and safety requirement" means any health and safety  
19 requirement created by statute or rule to provide, maintain,  
20 preserve, or safeguard safe or healthful conditions for  
21 students and school personnel or to eliminate, reduce, or  
22 prevent threats to the health and safety of students and  
23 school personnel. "Non-curricular health and safety  
24 requirement" does not include any course of study or  
25 specialized instructional requirement for which the State  
26 Board has established goals and learning standards or which is

1 designed primarily to impart knowledge and skills for students  
2 to master and apply as an outcome of their education.

3 A charter school shall comply with all non-curricular  
4 health and safety requirements applicable to public schools  
5 under the laws of the State of Illinois. The State Board shall  
6 promulgate and post on its Internet website a list of  
7 non-curricular health and safety requirements that a charter  
8 school must meet. The list shall be updated annually no later  
9 than September 1. Any charter contract between a charter  
10 school and its authorizer must contain a provision that  
11 requires the charter school to follow the list of all  
12 non-curricular health and safety requirements promulgated by  
13 the State Board and any non-curricular health and safety  
14 requirements added by the State Board to such list during the  
15 term of the charter. Nothing in this subsection (d) precludes  
16 an authorizer from including non-curricular health and safety  
17 requirements in a charter school contract that are not  
18 contained in the list promulgated by the State Board,  
19 including non-curricular health and safety requirements of the  
20 authorizing local school board.

21 (e) Except as otherwise provided in the School Code, a  
22 charter school shall not charge tuition; provided that a  
23 charter school may charge reasonable fees for textbooks,  
24 instructional materials, and student activities.

25 (f) A charter school shall be responsible for the  
26 management and operation of its fiscal affairs, including, but

1 not limited to, the preparation of its budget. An audit of each  
2 charter school's finances shall be conducted annually by an  
3 outside, independent contractor retained by the charter  
4 school. The contractor shall not be an employee of the charter  
5 school or affiliated with the charter school or its authorizer  
6 in any way, other than to audit the charter school's finances.  
7 To ensure financial accountability for the use of public  
8 funds, on or before December 1 of every year of operation, each  
9 charter school shall submit to its authorizer and the State  
10 Board a copy of its audit and a copy of the Form 990 the  
11 charter school filed that year with the federal Internal  
12 Revenue Service. In addition, if deemed necessary for proper  
13 financial oversight of the charter school, an authorizer may  
14 require quarterly financial statements from each charter  
15 school.

16 (g) A charter school shall comply with all provisions of  
17 this Article, the Illinois Educational Labor Relations Act,  
18 all federal and State laws and rules applicable to public  
19 schools that pertain to special education and the instruction  
20 of English learners, and its charter. A charter school is  
21 exempt from all other State laws and regulations in this Code  
22 governing public schools and local school board policies;  
23 however, a charter school is not exempt from the following:

24 (1) Sections 10-21.9 and 34-18.5 of this Code  
25 regarding criminal history records checks and checks of  
26 the Statewide Sex Offender Database and Statewide Murderer

1 and Violent Offender Against Youth Database of applicants  
2 for employment;

3 (2) Sections 10-20.14, 10-22.6, 22-100, 24-24, 34-19,  
4 and 34-84a of this Code regarding discipline of students;

5 (3) the Local Governmental and Governmental Employees  
6 Tort Immunity Act;

7 (4) Section 108.75 of the General Not For Profit  
8 Corporation Act of 1986 regarding indemnification of  
9 officers, directors, employees, and agents;

10 (5) the Abused and Neglected Child Reporting Act;

11 (5.5) subsection (b) of Section 10-23.12 and  
12 subsection (b) of Section 34-18.6 of this Code;

13 (6) the Illinois School Student Records Act;

14 (7) Section 10-17a of this Code regarding school  
15 report cards;

16 (8) the P-20 Longitudinal Education Data System Act;

17 (9) Section 22-110 of this Code regarding bullying  
18 prevention;

19 (10) Section 2-3.162 of this Code regarding student  
20 discipline reporting;

21 (11) Sections 22-80 and 22-105 of this Code;

22 (12) Sections 10-20.60 and 34-18.53 of this Code;

23 (13) Sections 10-20.63 and 34-18.56 of this Code;

24 (14) Sections 22-90 and 26-18 of this Code;

25 (15) Section 22-30 of this Code;

26 (16) Sections 24-12 and 34-85 of this Code;

- 1 (17) the Seizure Smart School Act;
- 2 (18) Section 2-3.64a-10 of this Code;
- 3 (19) Sections 10-20.73 and 34-21.9 of this Code;
- 4 (20) Section 10-22.25b of this Code;
- 5 (21) Section 27-1015 of this Code;
- 6 (22) Section 27-1010 of this Code;
- 7 (23) Section 34-18.8 of this Code;
- 8 (24) Article 26A of this Code;
- 9 (25) Section 2-3.188 of this Code;
- 10 (26) Section 22-85.5 of this Code;
- 11 (27) subsections (d-10), (d-15), and (d-20) of Section  
12 10-20.56 of this Code;
- 13 (28) Sections 10-20.83 and 34-18.78 of this Code;
- 14 (29) Section 10-20.13 of this Code;
- 15 (30) (blank);
- 16 (31) Section 34-21.6 of this Code;
- 17 (32) Section 22-85.10 of this Code;
- 18 (33) Section 2-3.196 of this Code;
- 19 (34) Section 22-95 of this Code;
- 20 (35) Section 34-18.62 of this Code;
- 21 (36) the Illinois Human Rights Act;
- 22 (37) Section 2-3.204 of this Code; ~~and~~
- 23 (38) Section 22-106 ~~22-105~~ of this Code; and.
- 24 (39) Section 22-112 of this Code.

25 The change made by Public Act 96-104 to this subsection  
26 (g) is declaratory of existing law.

1 (h) A charter school may negotiate and contract with a  
2 school district, the governing body of a State college or  
3 university or public community college, or any other public or  
4 for-profit or nonprofit private entity for: (i) the use of a  
5 school building and grounds or any other real property or  
6 facilities that the charter school desires to use or convert  
7 for use as a charter school site, (ii) the operation and  
8 maintenance thereof, and (iii) the provision of any service,  
9 activity, or undertaking that the charter school is required  
10 to perform in order to carry out the terms of its charter.  
11 Except as provided in subsection (i) of this Section, a school  
12 district may charge a charter school reasonable rent for the  
13 use of the district's buildings, grounds, and facilities. Any  
14 services for which a charter school contracts with a school  
15 district shall be provided by the district at cost. Any  
16 services for which a charter school contracts with a local  
17 school board or with the governing body of a State college or  
18 university or public community college shall be provided by  
19 the public entity at cost.

20 (i) In no event shall a charter school that is established  
21 by converting an existing school or attendance center to  
22 charter school status be required to pay rent for space that is  
23 deemed available, as negotiated and provided in the charter  
24 agreement, in school district facilities. However, all other  
25 costs for the operation and maintenance of school district  
26 facilities that are used by the charter school shall be

1 subject to negotiation between the charter school and the  
2 local school board and shall be set forth in the charter.

3 (j) A charter school may limit student enrollment by age  
4 or grade level.

5 (k) If the charter school is authorized by the State  
6 Board, then the charter school is its own local education  
7 agency.

8 (Source: P.A. 103-154, eff. 6-30-23; 103-175, eff. 6-30-23;  
9 103-472, eff. 8-1-24; 103-605, eff. 7-1-24; 103-641, eff.  
10 7-1-24; 103-806, eff. 1-1-25; 104-288, eff. 1-1-26; 104-391,  
11 eff. 8-15-25; 104-417, eff. 8-15-25; revised 9-12-25.)