

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 changing Sections
5 10-20.14 and 10-22.6 as follows:

6 (105 ILCS 5/10-20.14) (from Ch. 122, par. 10-20.14)

7 Sec. 10-20.14. Student discipline policies; parent-teacher
8 advisory committee.

9 (a) To establish and maintain a parent-teacher advisory
10 committee to develop with the school board or governing body
11 of a charter school policy guidelines on student ~~pupil~~
12 discipline, including school searches and bullying prevention
13 as set forth in Section 27-23.7 of this Code. School
14 authorities shall furnish a copy of the policy to the parents
15 or guardian of each student ~~pupil~~ within 15 days after the
16 beginning of the school year, or within 15 days after starting
17 classes for a student ~~pupil~~ who transfers into the district
18 during the school year, and the school board or governing body
19 of a charter school shall require that a school inform its
20 students ~~pupils~~ of the contents of the policy. School boards
21 and the governing bodies of charter schools, along with the
22 parent-teacher advisory committee, must annually review their
23 student ~~pupil~~ discipline policies ~~and~~ the implementation of

1 those policies, and any other factors related to the safety of
2 their schools, students ~~pupils~~, and school personnel ~~staff~~.

3 (a-5) On or before September 15, 2016, each elementary and
4 secondary school and charter school shall, at a minimum, adopt
5 student ~~pupil~~ discipline policies that fulfill the
6 requirements set forth in this Section, subsections (a) and
7 (b) of Section 10-22.6 of this Code, Section 34-19 of this Code
8 if applicable, and federal and State laws that provide special
9 requirements for the discipline of students with disabilities.

10 (b) The parent-teacher advisory committee in cooperation
11 with local law enforcement agencies shall develop, with the
12 school board, policy guideline procedures to establish and
13 maintain a reciprocal reporting system between the school
14 district and local law enforcement agencies regarding criminal
15 offenses committed by students. School districts are
16 encouraged to create memoranda of understanding with local law
17 enforcement agencies that clearly define law enforcement's
18 role in schools, in accordance with Section 10-22.6 of this
19 Code. In consultation with stakeholders deemed appropriate by
20 the State Board of Education, the State Board of Education
21 shall draft and publish guidance for the development of
22 reciprocal reporting systems in accordance with this Section
23 on or before July 1, 2025.

24 (c) The parent-teacher advisory committee, in cooperation
25 with school bus personnel, shall develop, with the school
26 board, policy guideline procedures to establish and maintain

1 school bus safety procedures. These procedures shall be
2 incorporated into the district's student ~~pupil~~ discipline
3 policy. In consultation with stakeholders deemed appropriate
4 by the State Board of Education, the State Board of Education
5 shall draft and publish guidance for school bus safety
6 procedures in accordance with this Section on or before July
7 1, 2025.

8 (d) As used in this subsection (d), "evidence-based
9 intervention" means intervention that has demonstrated a
10 statistically significant effect on improving student outcomes
11 as documented in peer-reviewed scholarly journals.

12 The school board, in consultation with the parent-teacher
13 advisory committee and other community-based organizations,
14 must include provisions in the student discipline policy to
15 address students who have demonstrated behaviors that put them
16 at risk for aggressive behavior, including without limitation
17 bullying, as defined in the policy. These provisions must
18 include procedures for notifying parents or legal guardians
19 and ~~early~~ intervention procedures based upon available
20 community-based and district resources.

21 In consultation with behavioral health experts, the State
22 Board of Education shall draft and publish guidance for
23 evidence-based intervention procedures, including examples, in
24 accordance with this Section on or before July 1, 2025.

25 (Source: P.A. 99-456, eff. 9-15-16.)

1 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

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

3 Sec. 10-22.6. Suspension or expulsion of students ~~pupils~~;
4 school searches.

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

1 in the manner provided in Article 13A or 13B of this Code. A
2 student ~~pupil~~ must not be denied transfer because of the
3 expulsion, except in cases in which such transfer is deemed to
4 cause a threat to the safety of students or staff in the
5 alternative program.

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

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

1 guardian, the school board or a hearing officer appointed by
2 it shall review such action of the superintendent or
3 principal, assistant principal, or dean of students. At such
4 review, the parents or guardian of the student ~~pupil~~ may
5 appear and discuss the suspension with the board or its
6 hearing officer. If a hearing officer is appointed by the
7 board, he shall report to the board a written summary of the
8 evidence heard at the meeting. After its hearing or upon
9 receipt of the written report of its hearing officer, the
10 board may take such action as it finds appropriate. If a
11 student is suspended pursuant to this subsection (b), the
12 board shall, in the written suspension decision, detail the
13 specific act of gross disobedience or misconduct resulting in
14 the decision to suspend. The suspension decision shall also
15 include a rationale as to the specific duration of the
16 suspension. ~~A pupil who is suspended in excess of 20 school~~
17 ~~days may be immediately transferred to an alternative program~~
18 ~~in the manner provided in Article 13A or 13B of this Code. A~~
19 ~~pupil must not be denied transfer because of the suspension,~~
20 ~~except in cases in which such transfer is deemed to cause a~~
21 ~~threat to the safety of students or staff in the alternative~~
22 ~~program.~~

23 (b-5) Among the many possible disciplinary interventions
24 and consequences available to school officials, school
25 exclusions, such as out-of-school suspensions and expulsions,
26 are the most serious. School officials shall limit the number

1 and duration of expulsions and suspensions to the greatest
2 extent practicable, and it is recommended that they use them
3 only for legitimate educational purposes. To ensure that
4 students are not excluded from school unnecessarily, it is
5 recommended that school officials consider forms of
6 non-exclusionary discipline prior to using out-of-school
7 suspensions or expulsions.

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

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

22 (b-20) Unless otherwise required by this Code,
23 out-of-school suspensions of longer than 3 days, expulsions,
24 and disciplinary removals to alternative schools may be used
25 only if other appropriate and available behavioral and
26 disciplinary interventions have been exhausted and the

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

21 (b-25) Students who are suspended out-of-school for longer
22 than 3 4 school days shall be provided appropriate and
23 available support services during the period of their
24 suspension. For purposes of this subsection (b-25),
25 "appropriate and available support services" shall be
26 determined by school authorities. Within the suspension

1 decision described in subsection (b) of this Section, it shall
2 be documented whether such services are to be provided or
3 whether it was determined that there are no such appropriate
4 and available services.

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

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

16 (b-30) A school district shall create a policy by which
17 suspended students ~~pupils~~, including those students ~~pupils~~
18 suspended from the school bus who do not have alternate
19 transportation to school, shall have the opportunity to make
20 up work for equivalent academic credit. It shall be the
21 responsibility of a student's ~~pupil's~~ parent or guardian to
22 notify school officials that a student ~~pupil~~ suspended from
23 the school bus does not have alternate transportation to
24 school.

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

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

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

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

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

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

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

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

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

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

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

1 If a search conducted in accordance with this Section produces
2 evidence that the student has violated or is violating either
3 the law, local ordinance, or the school's policies or rules,
4 such evidence may be seized by school authorities, and
5 disciplinary action may be taken. School authorities may also
6 turn over such evidence to law enforcement authorities.

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

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

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

22 (i) A student may not be issued a monetary fine or fee as a
23 disciplinary consequence, though this shall not preclude
24 requiring a student to provide restitution for lost, stolen,
25 or damaged property.

26 (j) Subsections (a) through (i) of this Section shall

1 apply to elementary and secondary schools, charter schools,
2 special charter districts, and school districts organized
3 under Article 34 of this Code.

4 (k) The expulsion of students ~~children~~ enrolled in
5 programs funded under Section 1C-2 of this Code is subject to
6 the requirements under paragraph (7) of subsection (a) of
7 Section 2-3.71 of this Code.

8 (l) ~~An~~ ~~Beginning with the 2018-2019 school year,~~ an
9 in-school suspension program provided by a school district for
10 any students in kindergarten through grade 12 may focus on
11 promoting non-violent conflict resolution and positive
12 interaction with other students and school personnel. A school
13 district may employ a school social worker or a licensed
14 mental health professional to oversee an in-school suspension
15 program in kindergarten through grade 12.

16 (Source: P.A. 101-81, eff. 7-12-19; 102-539, eff. 8-20-21;
17 102-813, eff. 5-13-22.)

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

19 Sec. 10-22.6. Suspension or expulsion of students ~~pupils~~;
20 school searches.

21 (a) To expel students ~~pupils~~ guilty of gross disobedience
22 or misconduct, including gross disobedience or misconduct
23 perpetuated by electronic means, pursuant to subsection (b-20)
24 of this Section, and no action shall lie against them for such
25 expulsion. Expulsion shall take place only after the parents

1 or guardians have been requested to appear at a meeting of the
2 board, or with a hearing officer appointed by it, to discuss
3 their child's behavior. Such request shall be made by
4 registered or certified mail and shall state the time, place
5 and purpose of the meeting. The board, or a hearing officer
6 appointed by it, at such meeting shall state the reasons for
7 dismissal and the date on which the expulsion is to become
8 effective. If a hearing officer is appointed by the board, the
9 hearing officer ~~he~~ shall report to the board a written summary
10 of the evidence heard at the meeting and the board may take
11 such action thereon as it finds appropriate. If the board acts
12 to expel a student pupil, the written expulsion decision shall
13 detail the specific reasons why removing the student pupil
14 from the learning environment is in the best interest of the
15 school. The expulsion decision shall also include a rationale
16 as to the specific duration of the expulsion. An expelled
17 student pupil may be immediately transferred to an alternative
18 program in the manner provided in Article 13A or 13B of this
19 Code. A student pupil must not be denied transfer because of
20 the expulsion, except in cases in which such transfer is
21 deemed to cause a threat to the safety of students or staff in
22 the alternative program.

23 (b) To suspend or by policy to authorize the
24 superintendent of the district or the principal, assistant
25 principal, or dean of students of any school to suspend
26 students pupils guilty of gross disobedience or misconduct, or

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

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

1 board may take such action as it finds appropriate. If a
2 student is suspended pursuant to this subsection (b), the
3 board shall, in the written suspension decision, detail the
4 specific act of gross disobedience or misconduct resulting in
5 the decision to suspend. The suspension decision shall also
6 include a rationale as to the specific duration of the
7 suspension. ~~A pupil who is suspended in excess of 20 school~~
8 ~~days may be immediately transferred to an alternative program~~
9 ~~in the manner provided in Article 13A or 13B of this Code. A~~
10 ~~pupil must not be denied transfer because of the suspension,~~
11 ~~except in cases in which such transfer is deemed to cause a~~
12 ~~threat to the safety of students or staff in the alternative~~
13 ~~program.~~

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

25 (b-10) Unless otherwise required by federal law or this
26 Code, school boards may not institute zero-tolerance policies

1 by which school administrators are required to suspend or
2 expel students for particular behaviors.

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

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

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

12 (b-25) Students who are suspended out-of-school for longer
13 than 3 4 school days shall be provided appropriate and
14 available support services during the period of their
15 suspension. For purposes of this subsection (b-25),
16 "appropriate and available support services" shall be
17 determined by school authorities. Within the suspension
18 decision described in subsection (b) of this Section, it shall
19 be documented whether such services are to be provided or
20 whether it was determined that there are no such appropriate
21 and available services.

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

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

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

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

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

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

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

26 (c) A school board must invite a representative from a

1 local mental health agency to consult with the board at the
2 meeting whenever there is evidence that mental illness may be
3 the cause of a student's expulsion or suspension.

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

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

24 (1) A firearm. For the purposes of this Section,
25 "firearm" means any gun, rifle, shotgun, weapon as defined
26 by Section 921 of Title 18 of the United States Code,

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

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

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

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

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

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

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

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

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

25 (h) School officials shall not advise or encourage
26 students to drop out voluntarily due to behavioral or academic

1 difficulties.

2 (i) A student may not be issued a monetary fine or fee as a
3 disciplinary consequence, though this shall not preclude
4 requiring a student to provide restitution for lost, stolen,
5 or damaged property.

6 (j) Subsections (a) through (i) of this Section shall
7 apply to elementary and secondary schools, charter schools,
8 special charter districts, and school districts organized
9 under Article 34 of this Code.

10 (k) The expulsion of students ~~children~~ enrolled in
11 programs funded under Section 1C-2 of this Code is subject to
12 the requirements under paragraph (7) of subsection (a) of
13 Section 2-3.71 of this Code.

14 (l) ~~An Beginning with the 2018-2019 school year, an~~
15 in-school suspension program provided by a school district for
16 any students in kindergarten through grade 12 may focus on
17 promoting non-violent conflict resolution and positive
18 interaction with other students and school personnel. A school
19 district may employ a school social worker or a licensed
20 mental health professional to oversee an in-school suspension
21 program in kindergarten through grade 12.

22 (Source: P.A. 101-81, eff. 7-12-19; 102-466, eff. 7-1-25;
23 102-539, eff. 8-20-21; 102-813, eff. 5-13-22.)

24 Section 95. No acceleration or delay. Where this Act makes
25 changes in a statute that is represented in this Act by text

1 that is not yet or no longer in effect (for example, a Section
2 represented by multiple versions), the use of that text does
3 not accelerate or delay the taking effect of (i) the changes
4 made by this Act or (ii) provisions derived from any other
5 Public Act.

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