



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB5698

Introduced 2/9/2010, by Rep. Shane Cultra

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/24-24

from Ch. 122, par. 24-24

Amends the School Code. Provides that a teacher or other certificated employee shall not be liable for enforcing the discipline policy adopted by a school board. Removes language that provides that the policy shall not include slapping, paddling or prolonged maintenance of students in physically painful positions nor shall it include the intentional infliction of bodily harm. Effective immediately.

LRB096 18532 NHT 33914 b

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 Section  
5 24-24 as follows:

6 (105 ILCS 5/24-24) (from Ch. 122, par. 24-24)

7 Sec. 24-24. Maintenance of discipline. Subject to the  
8 limitations of all policies established or adopted under  
9 Section 14-8.05, teachers, other certificated educational  
10 employees, and any other person, whether or not a certificated  
11 employee, providing a related service for or with respect to a  
12 student shall maintain discipline in the schools, including  
13 school grounds which are owned or leased by the board and used  
14 for school purposes and activities. In all matters relating to  
15 the discipline in and conduct of the schools and the school  
16 children, they stand in the relation of parents and guardians  
17 to the pupils. This relationship shall extend to all activities  
18 connected with the school program, including all athletic and  
19 extracurricular programs, and may be exercised at any time for  
20 the safety and supervision of the pupils in the absence of  
21 their parents or guardians.

22 Nothing in this Section affects the power of the board to  
23 establish rules with respect to discipline; except that each

1 board shall establish a policy on discipline, and the policy so  
2 established shall provide, subject to the limitations of all  
3 policies established or adopted under Section 14-8.05, that a  
4 teacher, other certificated employee, and any other person,  
5 whether or not a certificated employee, providing a related  
6 service for or with respect to a student may use reasonable  
7 force as needed to maintain safety for the other students,  
8 school personnel or persons or for the purpose of self defense  
9 or the defense of property, shall provide that a teacher may  
10 remove a student from the classroom for disruptive behavior,  
11 and shall include provisions which provide due process to  
12 students. A school district employee shall not be liable for  
13 enforcing the discipline policy adopted by the school board.  
14 ~~The policy shall not include slapping, paddling or prolonged~~  
15 ~~maintenance of students in physically painful positions nor~~  
16 ~~shall it include the intentional infliction of bodily harm.~~

17 The board may make and enforce reasonable rules of conduct  
18 and sportsmanship for athletic and extracurricular school  
19 events. Any person who violates such rules may be denied  
20 admission to school events for not more than one year, provided  
21 that written 10 days notice of the violation is given such  
22 person and a hearing had thereon by the board pursuant to its  
23 rules and regulations. The administration of any school may  
24 sign complaints as agents of the school against persons  
25 committing any offense at school events.

26 (Source: P.A. 88-346; 88-670, eff. 12-2-94; 89-184, eff.

1 7-19-95.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.