



Rep. La Shawn K. Ford

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10400HB2502ham001

LRB104 06246 LNS 23713 a

1 AMENDMENT TO HOUSE BILL 2502

2 AMENDMENT NO. _____. Amend House Bill 2502 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Findings and intent.

5 (a) The General Assembly finds the following:

6 (1) Public Act 99-456 prohibited schools from issuing
7 monetary fines or fees as a disciplinary consequence.

8 (2) Public Act 100-810 prohibited schools from
9 referring truant minors to local public entities for the
10 purpose of issuing fines or fees as punishment for truancy
11 and required schools to document the provision of all
12 appropriate and available supportive services before
13 referring an individual having custody of a truant minor
14 to a local public entity.

15 (3) Thousands of students have been referred to
16 municipalities for behaviors occurring on school grounds,
17 during school-related events, or while taking school

1 transportation.

2 (4) Municipal tickets, citations, and ordinance
3 violations disproportionately impact students of color and
4 students with disabilities.

5 (5) Municipal fines and fees associated with municipal
6 tickets, citations, and ordinance violations create
7 financial hardship for minors and their families.

8 (6) Municipal proceedings do not provide minors with
9 sufficient due process, confidentiality, or record
10 expungement protections.

11 (7) In accordance with federal law and regulations,
12 Illinois schools provide data to the Civil Rights Data
13 Collection required by the Office for Civil Rights of the
14 U.S. Department of Education, including data on referrals
15 to law enforcement, and which disaggregates referrals
16 resulting in arrests, but does not disaggregate referrals
17 resulting in a municipal ticket, citation, or ordinance
18 violation.

19 (b) It is the intent of the General Assembly to learn more
20 about the prevalence of student referrals to law enforcement,
21 particularly those resulting in municipal tickets, citations,
22 and ordinance violations for behaviors occurring on school
23 grounds, during school-related events, or while taking school
24 transportation. It is not the intent of the General Assembly
25 to modify current school disciplinary responses provided in
26 the School Code or responses to alleged delinquent or criminal

1 conduct as set forth in the School Code, the Juvenile Court Act
2 of 1987, or the Criminal Code of 2012.

3 Section 5. The School Code is amended by adding Section
4 2-3.206 and by changing Sections 10-20.14, 10-20.68, 10-22.6,
5 and 26-12 as follows:

6 (105 ILCS 5/2-3.206 new)

7 Sec. 2-3.206. Law enforcement referral report.

8 (a) As used in this Section, "referral to law enforcement"
9 means an action by which a student is reported to a law
10 enforcement agency or official, including a school police
11 unit, for an incident that occurred on school grounds, during
12 school-related events or activities (whether in-person or
13 virtual), or while taking school transportation, regardless of
14 whether official action is taken. "Referral to law
15 enforcement" includes citations, tickets, court referrals, and
16 school-related arrests.

17 (b) Beginning with the 2027-2028 school year, the State
18 Board of Education shall require that each school district
19 annually report, in a manner and method determined by the
20 State Board, the number of students in kindergarten through
21 grade 12 who were referred to a law enforcement agency or
22 official and the number of instances of referrals to law
23 enforcement that students in grades kindergarten through 12
24 received.

1 (c) The data reported under subsection (b) shall be
2 disaggregated by the result of the referral, such as a
3 citation, ticket, court referral, or school-related arrest,
4 race and ethnicity, sex, grade level, whether a student is an
5 English learner, and disability.

6 (d) On or before January 31, 2029 and on or before January
7 31 of each subsequent year, the State Board of Education,
8 through the State Superintendent of Education, shall prepare a
9 report on student referrals to law enforcement in all school
10 districts in this State, including State-authorized charter
11 schools. This report shall include data from all public
12 schools within school districts, including district-authorized
13 charter schools. This report must be posted on the Internet
14 website of the State Board of Education. The report shall
15 include data reported under subsection (b) and shall be
16 disaggregated according to subsection (c).

17 (e) The State Board of Education may adopt rules to
18 further define and implement the requirements set forth in
19 this Section.

20 (105 ILCS 5/10-20.14) (from Ch. 122, par. 10-20.14)

21 Sec. 10-20.14. Student discipline policies; parent-teacher
22 advisory committee.

23 (a) To establish and maintain a parent-teacher advisory
24 committee to develop with the school board or governing body
25 of a charter school policy guidelines on student discipline,

1 including school searches and bullying prevention as set forth
2 in Section 27-23.7 of this Code. School authorities shall
3 furnish a copy of the policy to the parents or guardian of each
4 student within 15 days after the beginning of the school year,
5 or within 15 days after starting classes for a student who
6 transfers into the district during the school year, and the
7 school board or governing body of a charter school shall
8 require that a school inform its students of the contents of
9 the policy. School boards and the governing bodies of charter
10 schools, along with the parent-teacher advisory committee,
11 must annually review their student discipline policies and the
12 implementation of those policies and any other factors related
13 to the safety of their schools, students, and school
14 personnel.

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

22 (b) The parent-teacher advisory committee in cooperation
23 with local law enforcement agencies shall develop, with the
24 school board, policy guideline procedures to establish and
25 maintain a reciprocal reporting system between the school
26 district and local law enforcement agencies regarding criminal

1 and civil offenses committed by students. School districts are
2 encouraged to create memoranda of understanding with local law
3 enforcement agencies that clearly define law enforcement's
4 role in schools, in accordance with Sections 2-3.206 and
5 ~~Section~~ 10-22.6 of this Code. In consultation with
6 stakeholders deemed appropriate by the State Board of
7 Education, the State Board of Education shall draft and
8 publish guidance for the development of reciprocal reporting
9 systems in accordance with this Section on or before July 1,
10 2025.

11 (c) The parent-teacher advisory committee, in cooperation
12 with school bus personnel, shall develop, with the school
13 board, policy guideline procedures to establish and maintain
14 school bus safety procedures. These procedures shall be
15 incorporated into the district's student discipline policy. In
16 consultation with stakeholders deemed appropriate by the State
17 Board of Education, the State Board of Education shall draft
18 and publish guidance for school bus safety procedures in
19 accordance with this Section on or before July 1, 2025.

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

24 The school board, in consultation with the parent-teacher
25 advisory committee and other community-based organizations,
26 must include provisions in the student discipline policy to

1 address students who have demonstrated behaviors that put them
2 at risk for aggressive behavior, including without limitation
3 bullying, as defined in the policy. These provisions must
4 include procedures for notifying parents or legal guardians
5 and intervention procedures based upon available
6 community-based and district resources.

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

11 (Source: P.A. 103-896, eff. 8-9-24.)

12 (105 ILCS 5/10-20.68)

13 Sec. 10-20.68. School resource officer.

14 (a) In this Section, "school resource officer" means a law
15 enforcement officer who has been primarily assigned to a
16 school or school district under a memorandum of understanding
17 between ~~an agreement with~~ a local law enforcement agency and a
18 school district.

19 (a-5) A memorandum of understanding between a local law
20 enforcement agency and a school district is required for any
21 school district that uses a school resource officer. The
22 memorandum of understanding shall include provisions that:

23 (1) define the role, duties, and responsibilities of a
24 school resource officer;

25 (2) specify procedures to ensure that a school

1 resource officer has been trained or has received a waiver
2 for training, as provided in Section 10.22 of the Illinois
3 Police Training Act, including specific training on
4 working with students with disabilities to ensure
5 appropriate and effective interactions that support their
6 educational and behavioral needs;

7 (3) specify that a school resource officer is
8 prohibited from issuing tickets or citations or initiating
9 referrals on school property in accordance with subsection
10 (i) of Section 10-22.6, including a prohibition on issuing
11 tickets for disorderly conduct;

12 (4) outline a process for data collection and
13 reporting in accordance with Section 2-3.206; and

14 (5) provide for regular review and evaluation of the
15 school resource officer program, including community and
16 stakeholder input.

17 (b) Any Beginning January 1, 2021, any law enforcement
18 agency that provides a school resource officer ~~under this~~
19 ~~Section~~ shall provide to the school district a certificate of
20 completion, or approved waiver, issued by the Illinois Law
21 Enforcement Training Standards Board under Section 10.22 of
22 the Illinois Police Training Act indicating that the subject
23 officer has completed the requisite course of instruction in
24 the applicable subject areas within one year of assignment, or
25 has prior experience and training which satisfies this
26 requirement.

1 (c) In an effort to defray the related costs, any law
2 enforcement agency that provides a school resource officer
3 should apply for grant funding through the federal Community
4 Oriented Policing Services grant program.

5 (Source: P.A. 100-984, eff. 1-1-19; 101-81, eff. 7-12-19.)

6 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

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

8 Sec. 10-22.6. Suspension or expulsion of students; school
9 searches.

10 (a) To expel students guilty of gross disobedience or
11 misconduct, including gross disobedience or misconduct
12 perpetuated by electronic means, pursuant to subsection (b-20)
13 of this Section, and no action shall lie against them for such
14 expulsion. Expulsion shall take place only after the parents
15 have been requested to appear at a meeting of the board, or
16 with a hearing officer appointed by it, to discuss their
17 child's behavior. Such request shall be made by registered or
18 certified mail and shall state the time, place and purpose of
19 the meeting. The board, or a hearing officer appointed by it,
20 at such meeting shall state the reasons for dismissal and the
21 date on which the expulsion is to become effective. If a
22 hearing officer is appointed by the board, the hearing officer
23 shall report to the board a written summary of the evidence
24 heard at the meeting and the board may take such action thereon
25 as it finds appropriate. If the board acts to expel a student,

1 the written expulsion decision shall detail the specific
2 reasons why removing the student from the learning environment
3 is in the best interest of the school. The expulsion decision
4 shall also include a rationale as to the specific duration of
5 the expulsion. An expelled student may be immediately
6 transferred to an alternative program in the manner provided
7 in Article 13A or 13B of this Code. A student must not be
8 denied transfer because of the expulsion, except in cases in
9 which such transfer is deemed to cause a threat to the safety
10 of students or staff in the alternative program.

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

26 Any suspension shall be reported immediately to the

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

21 (b-5) Among the many possible disciplinary interventions
22 and consequences available to school officials, school
23 exclusions, such as out-of-school suspensions and expulsions,
24 are the most serious. School officials shall limit the number
25 and duration of expulsions and suspensions to the greatest
26 extent practicable, and it is recommended that they use them

1 only for legitimate educational purposes. To ensure that
2 students are not excluded from school unnecessarily, it is
3 recommended that school officials consider forms of
4 non-exclusionary discipline prior to using out-of-school
5 suspensions or expulsions.

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

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

20 (b-20) Unless otherwise required by this Code,
21 out-of-school suspensions of longer than 3 days, expulsions,
22 and disciplinary removals to alternative schools may be used
23 only if other appropriate and available behavioral and
24 disciplinary interventions have been exhausted and the
25 student's continuing presence in school would either (i) pose
26 a threat to the safety of other students, staff, or members of

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

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

1 such appropriate and available services.

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

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

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

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

25 (c-5) School districts shall make reasonable efforts to
26 provide ongoing professional development to all school

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

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

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

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

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

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

1 the school grounds at the time the threat was made, and (iii)
2 the threat could be reasonably interpreted as threatening to
3 the safety and security of the threatened individual because
4 of the individual's duties or employment status or status as a
5 student inside the school.

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

1 turn over such evidence to law enforcement authorities.

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

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

14 (h) School officials shall not advise or encourage
15 students to drop out voluntarily due to behavioral or academic
16 difficulties.

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

21 A student must ~~may~~ not be issued a monetary fine, ~~or~~ fee, ~~or~~
22 ticket, or citation as a school-based disciplinary consequence
23 or for a municipal code violation on school grounds during
24 school-related events or activities, whether in-person or
25 virtual, or while taking school transportation by any person
26 ~~as a disciplinary consequence,~~ though this shall not preclude

1 requiring a student to provide restitution for lost, stolen,
2 or damaged property.

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

11 (j) Subsections (a) through (i) of this Section shall
12 apply to elementary and secondary schools, charter schools,
13 special charter districts, and school districts organized
14 under Article 34 of this Code.

15 (k) The expulsion of students enrolled in programs funded
16 under Section 1C-2 of this Code is subject to the requirements
17 under paragraph (7) of subsection (a) of Section 2-3.71 of
18 this Code.

19 (l) An in-school suspension program provided by a school
20 district for any students in kindergarten through grade 12 may
21 focus on promoting non-violent conflict resolution and
22 positive interaction with other students and school personnel.
23 A school district may employ a school social worker or a
24 licensed mental health professional to oversee an in-school
25 suspension program in kindergarten through grade 12.

26 (Source: P.A. 102-539, eff. 8-20-21; 102-813, eff. 5-13-22;

1 103-594, eff. 6-25-24; 103-896, eff. 8-9-24; revised 9-25-24.)

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

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

5 (a) To expel students guilty of gross disobedience or
6 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 or guardians have been requested to appear at a meeting of the
11 board, or with a hearing officer appointed by it, to discuss
12 their child's behavior. Such request shall be made by
13 registered or certified mail and shall state the time, place
14 and purpose of the meeting. The board, or a hearing officer
15 appointed by it, at such meeting shall state the reasons for
16 dismissal and the date on which the expulsion is to become
17 effective. If a hearing officer is appointed by the board, the
18 hearing officer shall report to the board a written summary of
19 the evidence heard at the meeting and the board may take such
20 action thereon as it finds appropriate. If the board acts to
21 expel a student, the written expulsion decision shall detail
22 the specific reasons why removing the student 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

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

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

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

1 suspension length. Upon request of the parents or guardians,
2 the school board or a hearing officer appointed by it shall
3 review such action of the superintendent or principal,
4 assistant principal, or dean of students. At such review, the
5 parents or guardians of the student may appear and discuss the
6 suspension with the board or its hearing officer. If a hearing
7 officer is appointed by the board, he shall report to the board
8 a written summary of the evidence heard at the meeting. After
9 its hearing or upon receipt of the written report of its
10 hearing officer, the board may take such action as it finds
11 appropriate. If a student is suspended pursuant to this
12 subsection (b), the board shall, in the written suspension
13 decision, detail the specific act of gross disobedience or
14 misconduct resulting in the decision to suspend. The
15 suspension decision shall also include a rationale as to the
16 specific duration of the suspension.

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

1 suspensions or expulsions.

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

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

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

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

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

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

26 A school district shall create a policy to facilitate the

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

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

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

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

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

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

5 (c-5) School districts shall make reasonable efforts to
6 provide ongoing professional development to all school
7 personnel, school board members, and school resource officers
8 on the requirements of this Section and Section 10-20.14, the
9 adverse consequences of school exclusion and justice-system
10 involvement, effective classroom management strategies,
11 culturally responsive discipline, trauma-responsive learning
12 environments, as defined in subsection (b) of Section 3-11,
13 the appropriate and available supportive services for the
14 promotion of student attendance and engagement, and
15 developmentally appropriate disciplinary methods that promote
16 positive and healthy school 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 duties or employment status or status as a
11 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) In this subsection (i), "municipal code violation"
3 means the violation of a rule or regulation established by a
4 local government authority, authorized by Section 1-2-1 of the
5 Illinois Municipal Code.

6 A student must ~~may~~ not be issued a monetary fine, ~~or~~ fee, ~~or~~
7 ticket, or citation as a school-based disciplinary consequence
8 or for a municipal code violation on school grounds during
9 school-related events or activities, whether in-person or
10 virtual, or while taking school transportation by any person
11 ~~as a disciplinary consequence~~, though this shall not preclude
12 requiring a student to provide restitution for lost, stolen,
13 or damaged property.

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

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

26 (k) Through June 30, 2026, the expulsion of students

1 enrolled in programs funded under Section 1C-2 of this Code is
2 subject to the requirements under paragraph (7) of subsection
3 (a) of Section 2-3.71 of this Code.

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

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

16 (Source: P.A. 102-466, eff. 7-1-25; 102-539, eff. 8-20-21;
17 102-813, eff. 5-13-22; 103-594, eff. 6-25-24; 103-896, eff.
18 8-9-24; revised 9-25-24.)

19 (105 ILCS 5/26-12) (from Ch. 122, par. 26-12)

20 Sec. 26-12. Punitive action.

21 (a) No punitive action, including out-of-school
22 suspensions, expulsions, or court action, shall be taken
23 against truant minors for such truancy unless appropriate and
24 available supportive services and other school resources have
25 been provided to the student. Notwithstanding the provisions

1 of Section 10-22.6 of this Code, a truant minor may not be
2 expelled for nonattendance unless he or she has accrued 15
3 consecutive days of absences without valid cause and the
4 student cannot be located by the school district or the school
5 district has located the student but cannot, after exhausting
6 all available supportive services, compel the student to
7 return to school.

8 (b) School personnel ~~A school district~~ may not refer a
9 truant, chronic truant, or truant minor to any other local
10 public entity, as defined under Section 1-206 of the Local
11 Governmental and Governmental Employees Tort Immunity Act,
12 school resource officer, as defined in Section 10-20.68 of
13 this Code, or peace officer, as defined in Section 2-13 of the
14 Criminal Code of 2012, for that local public entity, school
15 resource officer, or peace officer to issue the child a fine or
16 a fee as punishment for his or her truancy.

17 (c) A school district may refer any person having custody
18 or control of a truant, chronic truant, or truant minor to any
19 other local public entity, as defined under Section 1-206 of
20 the Local Governmental and Governmental Employees Tort
21 Immunity Act, for that local public entity to issue the person
22 a fine or fee for the child's truancy only if the school
23 district's truant officer, regional office of education, or
24 intermediate service center has been notified of the truant
25 behavior and the school district, regional office of
26 education, or intermediate service center has offered all

1 appropriate and available supportive services and other school
2 resources to the child. Before a school district may refer a
3 person having custody or control of a child to a municipality,
4 as defined under Section 1-1-2 of the Illinois Municipal Code,
5 the school district must provide the following appropriate and
6 available services:

7 (1) For any child who is a homeless child, as defined
8 under Section 1-5 of the Education for Homeless Children
9 Act, a meeting between the child, the person having
10 custody or control of the child, relevant school
11 personnel, and a homeless liaison to discuss any barriers
12 to the child's attendance due to the child's transitional
13 living situation and to construct a plan that removes
14 these barriers.

15 (2) For any child with a documented disability, a
16 meeting between the child, the person having custody or
17 control of the child, and relevant school personnel to
18 review the child's current needs and address the
19 appropriateness of the child's placement and services. For
20 any child subject to Article 14 of this Code, this meeting
21 shall be an individualized education program meeting and
22 shall include relevant members of the individualized
23 education program team. For any child with a disability
24 under Section 504 of the federal Rehabilitation Act of
25 1973 (29 U.S.C. 794), this meeting shall be a Section 504
26 plan review and include relevant members of the Section

1 504 plan team.

2 (3) For any child currently being evaluated by a
3 school district for a disability or for whom the school
4 has a basis of knowledge that the child is a child with a
5 disability under 20 U.S.C. 1415(k)(5), the completion of
6 the evaluation and determination of the child's
7 eligibility for special education services.

8 (d) Before a school district may refer a person having
9 custody or control of a child to a local public entity under
10 this Section, the school district must document any
11 appropriate and available supportive services offered to the
12 child. In the event a meeting under this Section does not
13 occur, a school district must have documentation that it made
14 reasonable efforts to convene the meeting at a mutually
15 convenient time and date for the school district and the
16 person having custody or control of the child and, but for the
17 conduct of that person, the meeting would have occurred.

18 (Source: P.A. 100-810, eff. 1-1-19; 100-825, eff. 8-13-18;
19 101-81, eff. 7-12-19.)

20 Section 95. No acceleration or delay. Where this Act makes
21 changes in a statute that is represented in this Act by text
22 that is not yet or no longer in effect (for example, a Section
23 represented by multiple versions), the use of that text does
24 not accelerate or delay the taking effect of (i) the changes
25 made by this Act or (ii) provisions derived from any other

1 Public Act.

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