



Rep. La Shawn K. Ford

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LRB104 06246 LNS 24525 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 race and ethnicity, sex, grade level, whether
3 a student is an English learner, and disability.

4 (d) On or before January 31, 2029 and on or before January
5 31 of each subsequent year, the State Board of Education,
6 through the State Superintendent of Education, shall prepare a
7 report on student referrals to law enforcement in all school
8 districts in this State, including State-authorized charter
9 schools. This report shall include data from all public
10 schools within school districts, including district-authorized
11 charter schools. This report must be posted on the Internet
12 website of the State Board of Education. The report shall
13 include data reported under subsection (b) and shall be
14 disaggregated according to subsection (c).

15 (105 ILCS 5/10-20.14) (from Ch. 122, par. 10-20.14)

16 Sec. 10-20.14. Student discipline policies; parent-teacher
17 advisory committee.

18 (a) To establish and maintain a parent-teacher advisory
19 committee to develop with the school board or governing body
20 of a charter school policy guidelines on student discipline,
21 including school searches and bullying prevention as set forth
22 in Section 27-23.7 of this Code. School authorities shall
23 furnish a copy of the policy to the parents or guardian of each
24 student within 15 days after the beginning of the school year,
25 or within 15 days after starting classes for a student who

1 transfers into the district during the school year, and the
2 school board or governing body of a charter school shall
3 require that a school inform its students of the contents of
4 the policy. School boards and the governing bodies of charter
5 schools, along with the parent-teacher advisory committee,
6 must annually review their student discipline policies and the
7 implementation of those policies and any other factors related
8 to the safety of their schools, students, and school
9 personnel.

10 (a-5) On or before September 15, 2016, each elementary and
11 secondary school and charter school shall, at a minimum, adopt
12 student discipline policies that fulfill the requirements set
13 forth in this Section, subsections (a) and (b) of Section
14 10-22.6 of this Code, Section 34-19 of this Code if
15 applicable, and federal and State laws that provide special
16 requirements for the discipline of students with disabilities.

17 (b) The parent-teacher advisory committee in cooperation
18 with local law enforcement agencies shall develop, with the
19 school board, policy guideline procedures to establish and
20 maintain a reciprocal reporting system between the school
21 district and local law enforcement agencies regarding criminal
22 and civil offenses committed by students. School districts are
23 encouraged to create memoranda of understanding with local law
24 enforcement agencies that clearly define law enforcement's
25 role in schools, in accordance with Sections 2-3.206 and
26 ~~Section~~ 10-22.6 of this Code. In consultation with

1 stakeholders deemed appropriate by the State Board of
2 Education, the State Board of Education shall draft and
3 publish guidance for the development of reciprocal reporting
4 systems in accordance with this Section on or before July 1,
5 2025.

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

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

19 The school board, in consultation with the parent-teacher
20 advisory committee and other community-based organizations,
21 must include provisions in the student discipline policy to
22 address students who have demonstrated behaviors that put them
23 at risk for aggressive behavior, including without limitation
24 bullying, as defined in the policy. These provisions must
25 include procedures for notifying parents or legal guardians
26 and intervention procedures based upon available

1 community-based and district resources.

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

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

7 (105 ILCS 5/10-20.68)

8 Sec. 10-20.68. School resource officer.

9 (a) In this Section, "school resource officer" means a law
10 enforcement officer who has been primarily assigned to a
11 school or school district under a memorandum of understanding
12 between ~~an agreement with~~ a local law enforcement agency and a
13 school district.

14 (a-5) Beginning July 1, 2026, a memorandum of
15 understanding between a local law enforcement agency and a
16 school district is required for any school district that uses
17 a school resource officer. The memorandum of understanding
18 shall include provisions that:

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

21 (2) specify procedures to ensure that a school
22 resource officer has been trained or has received a waiver
23 for training, as provided in Section 10.22 of the Illinois
24 Police Training Act, including specific training on
25 working with students with disabilities to ensure

1 appropriate and effective interactions that support their
2 educational and behavioral needs;

3 (3) specify that a school resource officer is
4 prohibited from issuing tickets or citations on school
5 property in accordance with subsection (i) of Section
6 10-22.6;

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

9 (5) provide for regular review and evaluation of the
10 school resource officer program, including community and
11 stakeholder input.

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

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

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

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; 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 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 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 the written expulsion decision shall detail the specific
22 reasons why removing the student from the learning environment
23 is in the best interest of the school. The expulsion decision
24 shall also include a rationale as to the specific duration of
25 the expulsion. An expelled student may be immediately

1 transferred to an alternative program in the manner provided
2 in Article 13A or 13B of this Code. A student must not be
3 denied transfer because of the expulsion, except in cases in
4 which such transfer is deemed to cause a threat to the safety
5 of students or staff in the 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 guilty of gross disobedience or misconduct, or to
10 suspend students guilty of gross disobedience or misconduct on
11 the school bus from riding the school bus, pursuant to
12 subsections (b-15) and (b-20) of this Section, and no action
13 shall lie against them for such suspension. The board may by
14 policy authorize the superintendent of the district or the
15 principal, assistant principal, or dean of students of any
16 school to suspend students guilty of such acts for a period not
17 to exceed 10 school days. If a student is suspended due to
18 gross disobedience or misconduct on a school bus, the board
19 may suspend the student in excess of 10 school days for safety
20 reasons.

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

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

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

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

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

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

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

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

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

25 A school district shall create a policy to facilitate the
26 re-engagement of students who are suspended out-of-school,

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

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

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

20 (c-5) School districts shall make reasonable efforts to
21 provide ongoing professional development to all school
22 personnel, school board members, and school resource officers,
23 on the requirements of this Section and Section 10-20.14, the
24 adverse consequences of school exclusion and justice-system
25 involvement, effective classroom management strategies,
26 culturally responsive discipline, trauma-responsive learning

1 environments, as defined in subsection (b) of Section 3-11,
2 the appropriate and available supportive services for the
3 promotion of student attendance and engagement, and
4 developmentally appropriate disciplinary methods that promote
5 positive and healthy school climates.

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

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

22 (2) A knife, brass knuckles or other knuckle weapon
23 regardless of its composition, a billy club, or any other
24 object if used or attempted to be used to cause bodily
25 harm, including "look alikes" of any firearm as defined in
26 subdivision (1) of this subsection (d). The expulsion

1 requirement under this subdivision (2) may be modified by
2 the superintendent, and the superintendent's determination
3 may be modified by the board on a case-by-case basis.

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

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

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

23 (f) Suspension or expulsion may include suspension or
24 expulsion from school and all school activities and a
25 prohibition from being present on school grounds.

26 (g) A school district may adopt a policy providing that if

1 a student is suspended or expelled for any reason from any
2 public or private school in this or any other state, the
3 student must complete the entire term of the suspension or
4 expulsion in an alternative school program under Article 13A
5 of this Code or an alternative learning opportunities program
6 under Article 13B of this Code before being admitted into the
7 school district if there is no threat to the safety of students
8 or staff in the alternative program.

9 (h) School officials shall not advise or encourage
10 students to drop out voluntarily due to behavioral or academic
11 difficulties.

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

16 A student must ~~may~~ not be issued a monetary fine, ~~or~~ fee, ~~or~~
17 ticket, or citation as a school-based disciplinary consequence
18 or for a municipal code violation on school grounds during
19 school hours or while taking school transportation by any
20 person as a disciplinary consequence, though this shall not
21 preclude requiring a student to provide restitution for lost,
22 stolen, or damaged property.

23 This subsection (i) does not modify school disciplinary
24 responses under this Section or Section 10-20.14 of this Code
25 that existed before the effective date of this amendatory Act
26 of the 104th General Assembly or responses to alleged

1 delinquent or criminal conduct set forth in this Code, Article
2 V of the Juvenile Court Act of 1987, or the Criminal Code of
3 2012. This subsection (i) does not apply to violations of
4 traffic, boating, or fish and game laws.

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

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

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

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

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

23 Sec. 10-22.6. Suspension or expulsion of students; school
24 searches.

25 (a) To expel students guilty of gross disobedience or

1 misconduct, including gross disobedience or misconduct
2 perpetuated by electronic means, pursuant to subsection (b-20)
3 of this Section, and no action shall lie against them for such
4 expulsion. Expulsion shall take place only after the parents
5 or guardians have been requested to appear at a meeting of the
6 board, or with a hearing officer appointed by it, to discuss
7 their child's behavior. Such request shall be made by
8 registered or certified mail and shall state the time, place
9 and purpose of the meeting. The board, or a hearing officer
10 appointed by it, at such meeting shall state the reasons for
11 dismissal and the date on which the expulsion is to become
12 effective. If a hearing officer is appointed by the board, the
13 hearing officer shall report to the board a written summary of
14 the evidence heard at the meeting and the board may take such
15 action thereon as it finds appropriate. If the board acts to
16 expel a student, the written expulsion decision shall detail
17 the specific reasons why removing the student from the
18 learning environment is in the best interest of the school.
19 The expulsion decision shall also include a rationale as to
20 the specific duration of the expulsion. An expelled student
21 may be immediately transferred to an alternative program in
22 the manner provided in Article 13A or 13B of this Code. A
23 student must not be denied transfer because of the expulsion,
24 except in cases in which such transfer is deemed to cause a
25 threat to the safety of students or staff in the alternative
26 program.

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

16 Any suspension shall be reported immediately to the
17 parents or guardians of a student along with a full statement
18 of the reasons for such suspension and a notice of their right
19 to a review. The school board must be given a summary of the
20 notice, including the reason for the suspension and the
21 suspension length. Upon request of the parents or guardians,
22 the school board or a hearing officer appointed by it shall
23 review such action of the superintendent or principal,
24 assistant principal, or dean of students. At such review, the
25 parents or guardians of the student may appear and discuss the
26 suspension with the board or its hearing officer. If a hearing

1 officer is appointed by the board, he shall report to the board
2 a written summary of the evidence heard at the meeting. After
3 its hearing or upon receipt of the written report of its
4 hearing officer, the board may take such action as it finds
5 appropriate. If a student is suspended pursuant to this
6 subsection (b), the board shall, in the written suspension
7 decision, detail the specific act of gross disobedience or
8 misconduct resulting in the decision to suspend. The
9 suspension decision shall also include a rationale as to the
10 specific duration of the suspension.

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

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

26 (b-15) Out-of-school suspensions of 3 days or less may be

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

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

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

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

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

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

1 alternative school setting in accordance with this Section and
2 Section 13A-4 on or before July 1, 2025.

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

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

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

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

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. A school district that
14 adopts a policy under this subsection (g) must include a
15 provision allowing for consideration of any mitigating
16 factors, including, but not limited to, a student's status as
17 a parent, expectant parent, or victim of domestic or sexual
18 violence, as defined in Article 26A.

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

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

26 A student must ~~may~~ not be issued a monetary fine, ~~or~~ fee.

1 ticket, or citation as a school-based disciplinary consequence
2 or for a municipal code violation on school grounds during
3 school hours or while taking school transportation by any
4 person as a disciplinary consequence, though this shall not
5 preclude requiring a student to provide restitution for lost,
6 stolen, or damaged property.

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

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

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

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

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

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

9 (Source: P.A. 102-466, eff. 7-1-25; 102-539, eff. 8-20-21;
10 102-813, eff. 5-13-22; 103-594, eff. 6-25-24; 103-896, eff.
11 8-9-24; revised 9-25-24.)

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

13 Sec. 26-12. Punitive action.

14 (a) No punitive action, including out-of-school
15 suspensions, expulsions, or court action, shall be taken
16 against truant minors for such truancy unless appropriate and
17 available supportive services and other school resources have
18 been provided to the student. Notwithstanding the provisions
19 of Section 10-22.6 of this Code, a truant minor may not be
20 expelled for nonattendance unless he or she has accrued 15
21 consecutive days of absences without valid cause and the
22 student cannot be located by the school district or the school
23 district has located the student but cannot, after exhausting
24 all available supportive services, compel the student to
25 return to school.

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

10 (c) A school district may refer any person having custody
11 or control of a truant, chronic truant, or truant minor to any
12 other local public entity, as defined under Section 1-206 of
13 the Local Governmental and Governmental Employees Tort
14 Immunity Act, for that local public entity to issue the person
15 a fine or fee for the child's truancy only if the school
16 district's truant officer, regional office of education, or
17 intermediate service center has been notified of the truant
18 behavior and the school district, regional office of
19 education, or intermediate service center has offered all
20 appropriate and available supportive services and other school
21 resources to the child. Before a school district may refer a
22 person having custody or control of a child to a municipality,
23 as defined under Section 1-1-2 of the Illinois Municipal Code,
24 the school district must provide the following appropriate and
25 available services:

26 (1) For any child who is a homeless child, as defined

1 under Section 1-5 of the Education for Homeless Children
2 Act, a meeting between the child, the person having
3 custody or control of the child, relevant school
4 personnel, and a homeless liaison to discuss any barriers
5 to the child's attendance due to the child's transitional
6 living situation and to construct a plan that removes
7 these barriers.

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

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

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

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

13 Section 95. No acceleration or delay. Where this Act makes
14 changes in a statute that is represented in this Act by text
15 that is not yet or no longer in effect (for example, a Section
16 represented by multiple versions), the use of that text does
17 not accelerate or delay the taking effect of (i) the changes
18 made by this Act or (ii) provisions derived from any other
19 Public Act.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."