

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 27-23.7 as follows:

6 (105 ILCS 5/27-23.7)

7 Sec. 27-23.7. Bullying prevention.

8 (a) The General Assembly finds that a safe and civil
9 school environment is necessary for students to learn and
10 achieve and that bullying causes physical, psychological, and
11 emotional harm to students and interferes with students'
12 ability to learn and participate in school activities. The
13 General Assembly further finds that bullying has been linked
14 to other forms of antisocial behavior, such as vandalism,
15 shoplifting, skipping and dropping out of school, fighting,
16 using drugs and alcohol, sexual harassment, and sexual
17 violence. Because of the negative outcomes associated with
18 bullying in schools, the General Assembly finds that school
19 districts, charter schools, and non-public, non-sectarian
20 elementary and secondary schools should educate students,
21 parents, and school district, charter school, or non-public,
22 non-sectarian elementary or secondary school personnel about
23 what behaviors constitute prohibited bullying.

1 Bullying on the basis of actual or perceived race, color,
2 religion, sex, national origin, ancestry, physical appearance,
3 socioeconomic status, academic status, pregnancy, parenting
4 status, homelessness, age, marital status, physical or mental
5 disability, military status, sexual orientation,
6 gender-related identity or expression, unfavorable discharge
7 from military service, association with a person or group with
8 one or more of the aforementioned actual or perceived
9 characteristics, or any other distinguishing characteristic is
10 prohibited in all school districts, charter schools, and
11 non-public, non-sectarian elementary and secondary schools. No
12 student shall be subjected to bullying:

13 (1) during any school-sponsored education program or
14 activity;

15 (2) while in school, on school property, on school
16 buses or other school vehicles, at designated school bus
17 stops waiting for the school bus, or at school-sponsored
18 or school-sanctioned events or activities;

19 (3) through the transmission of information from a
20 school computer, a school computer network, or other
21 similar electronic school equipment; or

22 (4) through the transmission of information from a
23 computer that is accessed at a nonschool-related location,
24 activity, function, or program or from the use of
25 technology or an electronic device that is not owned,
26 leased, or used by a school district or school if the

1 bullying causes a substantial disruption to the
2 educational process or orderly operation of a school. This
3 item (4) applies only in cases in which a school
4 administrator or teacher receives a report that bullying
5 through this means has occurred and does not require a
6 district or school to staff or monitor any
7 nonschool-related activity, function, or program.

8 (a-5) Nothing in this Section is intended to infringe upon
9 any right to exercise free expression or the free exercise of
10 religion or religiously based views protected under the First
11 Amendment to the United States Constitution or under Section 3
12 of Article I of the Illinois Constitution.

13 (b) In this Section:

14 "Artificial intelligence" has the meaning given to that
15 term in the Digital Voice and Likeness Protection Act.

16 "Bullying" includes "cyber-bullying" and means any severe
17 or pervasive physical or verbal act or conduct, including
18 communications made in writing or electronically, directed
19 toward a student or students that has or can be reasonably
20 predicted to have the effect of one or more of the following:

21 (1) placing the student or students in reasonable fear
22 of harm to the student's or students' person or property;

23 (2) causing a substantially detrimental effect on the
24 student's or students' physical or mental health;

25 (3) substantially interfering with the student's or
26 students' academic performance; or

1 (4) substantially interfering with the student's or
2 students' ability to participate in or benefit from the
3 services, activities, or privileges provided by a school.

4 Bullying, as defined in this subsection (b), may take
5 various forms, including without limitation one or more of the
6 following: harassment, threats, intimidation, stalking,
7 physical violence, sexual harassment, sexual violence, posting
8 or distributing sexually explicit images, theft, public
9 humiliation, destruction of property, or retaliation for
10 asserting or alleging an act of bullying. This list is meant to
11 be illustrative and non-exhaustive.

12 "Cyber-bullying" means bullying through the use of
13 technology or any electronic communication, including without
14 limitation any transfer of signs, signals, writing, images,
15 sounds, data, or intelligence of any nature transmitted in
16 whole or in part by a wire, radio, electromagnetic system,
17 photoelectronic system, or photooptical system, including
18 without limitation electronic mail, Internet communications,
19 instant messages, or facsimile communications.

20 "Cyber-bullying" includes the creation of a webpage or weblog
21 in which the creator assumes the identity of another person or
22 the knowing impersonation of another person as the author of
23 posted content or messages if the creation or impersonation
24 creates any of the effects enumerated in the definition of
25 bullying in this Section. "Cyber-bullying" also includes the
26 distribution by electronic means of a communication to more

1 than one person or the posting of material on an electronic
2 medium that may be accessed by one or more persons if the
3 distribution or posting creates any of the effects enumerated
4 in the definition of bullying in this Section. Beginning with
5 the 2026-2027 school year, "cyber-bullying" also includes the
6 posting or distribution of an unauthorized digital replica by
7 electronic means if the posting or distribution creates any of
8 the effects enumerated in the definition of "bullying" in this
9 Section.

10 "Digital replica" has the meaning given to that term in
11 the Digital Voice and Likeness Protection Act.

12 "Policy on bullying" means a bullying prevention policy
13 that meets the following criteria:

14 (1) Includes the bullying definition provided in this
15 Section.

16 (2) Includes a statement that bullying is contrary to
17 State law and the policy of the school district, charter
18 school, or non-public, non-sectarian elementary or
19 secondary school and is consistent with subsection (a-5)
20 of this Section.

21 (3) Includes procedures for promptly reporting
22 bullying, including, but not limited to, identifying and
23 providing the school e-mail address (if applicable) and
24 school telephone number for the staff person or persons
25 responsible for receiving such reports and a procedure for
26 anonymous reporting; however, this shall not be construed

1 to permit formal disciplinary action solely on the basis
2 of an anonymous report.

3 (4) Consistent with federal and State laws and rules
4 governing student privacy rights, includes procedures for
5 informing parents or guardians of all students involved in
6 the alleged incident of bullying within 24 hours after the
7 school's administration is made aware of the students'
8 involvement in the incident and discussing, as
9 appropriate, the availability of social work services,
10 counseling, school psychological services, other
11 interventions, and restorative measures. The school shall
12 make diligent efforts to notify a parent or legal
13 guardian, utilizing all contact information the school has
14 available or that can be reasonably obtained by the school
15 within the 24-hour period.

16 (5) Contains procedures for promptly investigating and
17 addressing reports of bullying, including the following:

18 (A) Making all reasonable efforts to complete the
19 investigation within 10 school days after the date the
20 report of the incident of bullying was received and
21 taking into consideration additional relevant
22 information received during the course of the
23 investigation about the reported incident of bullying.

24 (B) Involving appropriate school support personnel
25 and other staff persons with knowledge, experience,
26 and training on bullying prevention, as deemed

1 appropriate, in the investigation process.

2 (C) Notifying the principal or school
3 administrator or his or her designee of the report of
4 the incident of bullying as soon as possible after the
5 report is received.

6 (D) Consistent with federal and State laws and
7 rules governing student privacy rights, providing
8 parents and guardians of the students who are parties
9 to the investigation information about the
10 investigation and an opportunity to meet with the
11 principal or school administrator or his or her
12 designee to discuss the investigation, the findings of
13 the investigation, and the actions taken to address
14 the reported incident of bullying.

15 (6) Includes the interventions that can be taken to
16 address bullying, which may include, but are not limited
17 to, school social work services, restorative measures,
18 social-emotional skill building, counseling, school
19 psychological services, and community-based services.

20 (7) Includes a statement prohibiting reprisal or
21 retaliation against any person who reports an act of
22 bullying and the consequences and appropriate remedial
23 actions for a person who engages in reprisal or
24 retaliation.

25 (8) Includes consequences and appropriate remedial
26 actions for a person found to have falsely accused another

1 of bullying as a means of retaliation or as a means of
2 bullying.

3 (9) Is based on the engagement of a range of school
4 stakeholders, including students and parents or guardians.

5 (10) Is posted on the school district's, charter
6 school's, or non-public, non-sectarian elementary or
7 secondary school's existing, publicly accessible Internet
8 website, is included in the student handbook, and, where
9 applicable, posted where other policies, rules, and
10 standards of conduct are currently posted in the school
11 and provided periodically throughout the school year to
12 students and faculty, and is distributed annually to
13 parents, guardians, students, and school personnel,
14 including new employees when hired.

15 (11) As part of the process of reviewing and
16 re-evaluating the policy under subsection (d) of this
17 Section, contains a policy evaluation process to assess
18 the outcomes and effectiveness of the policy that
19 includes, but is not limited to, factors such as the
20 frequency of victimization; student, staff, and family
21 observations of safety at a school; identification of
22 areas of a school where bullying occurs; the types of
23 bullying utilized; and bystander intervention or
24 participation. The school district, charter school, or
25 non-public, non-sectarian elementary or secondary school
26 may use relevant data and information it already collects

1 for other purposes in the policy evaluation. The
2 information developed as a result of the policy evaluation
3 must be made available on the Internet website of the
4 school district, charter school, or non-public,
5 non-sectarian elementary or secondary school. If an
6 Internet website is not available, the information must be
7 provided to school administrators, school board members,
8 school personnel, parents, guardians, and students.

9 (12) Is consistent with the policies of the school
10 board, charter school, or non-public, non-sectarian
11 elementary or secondary school.

12 (13) Requires all individual instances of bullying, as
13 well as all threats, suggestions, or instances of
14 self-harm determined to be the result of bullying, to be
15 reported to the parents or legal guardians of those
16 involved under the guidelines provided in paragraph (4) of
17 this definition.

18 "Restorative measures" means a continuum of school-based
19 alternatives to exclusionary discipline, such as suspensions
20 and expulsions, that: (i) are adapted to the particular needs
21 of the school and community, (ii) contribute to maintaining
22 school safety, (iii) protect the integrity of a positive and
23 productive learning climate, (iv) teach students the personal
24 and interpersonal skills they will need to be successful in
25 school and society, (v) serve to build and restore
26 relationships among students, families, schools, and

1 communities, (vi) reduce the likelihood of future disruption
2 by balancing accountability with an understanding of students'
3 behavioral health needs in order to keep students in school,
4 and (vii) increase student accountability if the incident of
5 bullying is based on religion, race, ethnicity, or any other
6 category that is identified in the Illinois Human Rights Act.

7 "School personnel" means persons employed by, on contract
8 with, or who volunteer in a school district, charter school,
9 or non-public, non-sectarian elementary or secondary school,
10 including without limitation school and school district
11 administrators, teachers, school social workers, school
12 counselors, school psychologists, school nurses, cafeteria
13 workers, custodians, bus drivers, school resource officers,
14 and security guards.

15 "Unauthorized digital replica" means the use of a digital
16 replica of an individual without the consent of the depicted
17 individual.

18 (c) (Blank).

19 (d) Each school district, charter school, and non-public,
20 non-sectarian elementary or secondary school shall create,
21 maintain, and implement a policy on bullying, which policy
22 must be filed with the State Board of Education. The policy on
23 bullying shall be based on the State Board of Education's
24 template for a model bullying prevention policy under
25 subsection (h) and shall include the criteria set forth in the
26 definition of "policy on bullying". The policy or implementing

1 procedure shall include a process to investigate whether a
2 reported act of bullying is within the permissible scope of
3 the district's or school's jurisdiction and shall require that
4 the district or school provide the victim with information
5 regarding services that are available within the district and
6 community, such as counseling, support services, and other
7 programs. School personnel available for help with a bully or
8 to make a report about bullying shall be made known to parents
9 or legal guardians, students, and school personnel. Every 2
10 years, each school district, charter school, and non-public,
11 non-sectarian elementary or secondary school shall conduct a
12 review and re-evaluation of its policy and make any necessary
13 and appropriate revisions. No later than September 30 of the
14 subject year, the policy must be filed with the State Board of
15 Education after being updated. The State Board of Education
16 shall monitor and provide technical support for the
17 implementation of policies created under this subsection (d).
18 In monitoring the implementation of the policies, the State
19 Board of Education shall review each filed policy on bullying
20 to ensure all policies meet the requirements set forth in this
21 Section, including ensuring that each policy meets the 13 ~~12~~
22 criterion identified within the definition of "policy on
23 bullying" set forth in this Section.

24 If a school district, charter school, or non-public,
25 non-sectarian elementary or secondary school fails to file a
26 policy on bullying by September 30 of the subject year, the

1 State Board of Education shall provide a written request for
2 filing to the school district, charter school, or non-public,
3 non-sectarian elementary or secondary school. If a school
4 district, charter school, or non-public, non-sectarian
5 elementary or secondary school fails to file a policy on
6 bullying within 14 days of receipt of the aforementioned
7 written request, the State Board of Education shall publish
8 notice of the non-compliance on the State Board of Education's
9 website.

10 Each school district, charter school, and non-public,
11 non-sectarian elementary or secondary school may provide
12 evidence-based professional development and youth programming
13 on bullying prevention that is consistent with the provisions
14 of this Section.

15 (e) This Section shall not be interpreted to prevent a
16 victim from seeking redress under any other available civil or
17 criminal law.

18 (f) School districts, charter schools, and non-public,
19 non-sectarian elementary and secondary schools shall collect,
20 maintain, and submit to the State Board of Education
21 non-identifiable data regarding verified allegations of
22 bullying within the school district, charter school, or
23 non-public, non-sectarian elementary or secondary school.
24 School districts, charter schools, and non-public,
25 non-sectarian elementary and secondary schools must submit
26 such data in an annual report due to the State Board of

1 Education no later than August 15 of each year starting with
2 the 2024-2025 school year through the 2030-2031 school year.
3 The State Board of Education shall adopt rules for the
4 submission of data that includes, but is not limited to: (i) a
5 record of each verified allegation of bullying and action
6 taken; and (ii) whether the instance of bullying was based on
7 actual or perceived characteristics identified in subsection
8 (a) and, if so, lists the relevant characteristics. The rules
9 for the submission of data shall be consistent with federal
10 and State laws and rules governing student privacy rights,
11 including, but not limited to, the federal Family Educational
12 Rights and Privacy Act of 1974 and the Illinois School Student
13 Records Act, which shall include, without limitation, a record
14 of each complaint and action taken. The State Board of
15 Education shall adopt rules regarding the notification of
16 school districts, charter schools, and non-public,
17 non-sectarian elementary and secondary schools that fail to
18 comply with the requirements of this subsection.

19 (g) Upon the request of a parent or legal guardian of a
20 child enrolled in a school district, charter school, or
21 non-public, non-sectarian elementary or secondary school
22 within this State, the State Board of Education must provide
23 non-identifiable data on the number of bullying allegations
24 and incidents in a given year in the school district, charter
25 school, or non-public, non-sectarian elementary or secondary
26 school to the requesting parent or legal guardian. The State

1 Board of Education shall adopt rules regarding (i) the
2 handling of such data, (ii) maintaining the privacy of the
3 students and families involved, and (iii) best practices for
4 sharing numerical data with parents and legal guardians.

5 (h) By January 1, 2024, the State Board of Education shall
6 post on its Internet website a template for a model bullying
7 prevention policy.

8 (i) The Illinois Bullying and Cyberbullying Prevention
9 Fund is created as a special fund in the State treasury. Any
10 moneys appropriated to the Fund may be used, subject to
11 appropriation, by the State Board of Education for the
12 purposes of subsection (j).

13 (j) Subject to appropriation, the State Superintendent of
14 Education may provide a grant to a school district, charter
15 school, or non-public, non-sectarian elementary or secondary
16 school to support its anti-bullying programming. Grants may be
17 awarded from the Illinois Bullying and Cyberbullying
18 Prevention Fund. School districts, charter schools, and
19 non-public, non-sectarian elementary or secondary schools that
20 are not in compliance with subsection (f) are not eligible to
21 receive a grant from the Illinois Bullying and Cyberbullying
22 Prevention Fund.

23 (Source: P.A. 102-197, eff. 7-30-21; 102-241, eff. 8-3-21;
24 102-813, eff. 5-13-22; 102-894, eff. 5-20-22; 103-47, eff.
25 6-9-23.)

26 Section 99. Effective date. This Act takes effect July 1,

1 2026.