

**104TH GENERAL ASSEMBLY****State of Illinois****2025 and 2026****SB2060**

Introduced 2/6/2025, by Sen. Neil Anderson

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-22.6

from Ch. 122, par. 10-22.6

Amends the School Code. Provides that out-of-school suspensions and expulsions should only be used when the student's presence poses a threat to the operation of the school, poses a threat to the health or safety of students or school personnel, or causes a disruption to other students' learning opportunities. Provides that to ensure that students are not excluded from school unnecessarily, it is recommended that school officials consider implementing proactive evidence-based interventions that improve behavioral outcomes for all students. Provides that out-of-school suspensions of 3 days or less may be used only if the student's conduct poses a threat to the operation of the school, poses a threat to the health or safety of students or school personnel, or causes (rather than the student's continuing presence in school would pose a threat to school safety or) a disruption to other students' learning opportunities. Provides that the school board shall be solely responsible for determining, on a case-by-case basis, whether the student's conduct poses a threat to the operation of the school, poses a threat to the health or safety of students or school personnel, or causes a disruption to other students' learning opportunities. Provides that out-of-school suspensions of longer than 3 days, expulsions, and disciplinary removals to alternative schools may be used only if other appropriate and available behavioral and disciplinary interventions have been attempted (rather than exhausted) and the student's conduct poses a threat to the school, poses a threat to the health or safety of students or school personnel, or causes a disruption to other students' learning opportunities (rather than the student's continuing presence in school would either (i) pose a threat to the safety of other students, staff, or members of the school community or (ii) substantially disrupt, impede, or interfere with the operation of the school). Makes conforming changes.

LRB104 10662 LNS 20740 b

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section
5 10-22.6 as follows:

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

1 heard at the meeting and the board may take such action thereon
2 as it finds appropriate. If the board acts to expel a student,
3 the written expulsion decision shall detail the specific
4 reasons why removing the student from the learning environment
5 is in the best interest of the school. The expulsion decision
6 shall also include a rationale as to the specific duration of
7 the expulsion. An expelled student may be immediately
8 transferred to an alternative program in the manner provided
9 in Article 13A or 13B of this Code. A student must not be
10 denied transfer because of the expulsion, except in cases in
11 which such transfer is deemed to cause a threat to the safety
12 of students or staff in the alternative program. Nothing in
13 this subsection (a) precludes a suspension under subsection
14 (b).

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

1 gross disobedience or misconduct on a school bus, the board
2 may suspend the student in excess of 10 school days for safety
3 reasons.

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

25 (b-5) Among the many possible disciplinary interventions
26 and consequences available to school officials, school

1 exclusions, such as out-of-school suspensions and expulsions,
2 are the most serious and should only be used when the student's
3 presence poses a threat to the operation of the school, poses a
4 threat to the health or safety of students or school
5 personnel, or causes a disruption to other students' learning
6 opportunities. ~~School officials shall limit the number and~~
7 ~~duration of expulsions and suspensions to the greatest extent~~
8 ~~practicable, and it is recommended that they use them only for~~
9 ~~legitimate educational purposes.~~ To ensure that students are
10 not excluded from school unnecessarily, it is recommended that
11 school officials consider implementing proactive
12 evidence-based interventions, as defined in subsection (d) of
13 Section 10-20.14, that improve behavioral outcomes for all
14 students. In addition, it is recommended that school officials
15 consider forms of non-exclusionary discipline, if appropriate,
16 prior to using out-of-school suspensions or expulsions. Forms
17 of non-exclusionary discipline include, but are not limited
18 to, in-school suspensions that allow students to continue
19 academic instruction in an alternative environment,
20 restorative practices, and small-group instruction on behavior
21 management strategies.

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 conduct poses a threat to the
2 operation of the school, poses a threat to the health or safety
3 of students or school personnel, continuing presence in school
4 ~~would pose a threat to school safety~~ or causes a disruption to
5 other students' learning opportunities. For purposes of this
6 subsection (b-15), the school board or its designee shall be
7 solely responsible for determining, "threat to school safety
8 ~~or a disruption to other students' learning opportunities"~~
9 ~~shall be determined~~ on a case-by-case basis, whether the
10 student's conduct poses a threat to the operation of the
11 school, poses a threat to the health or safety of students or
12 school personnel, or causes a disruption to other students'
13 learning opportunities ~~by the school board or its designee.~~
14 School officials shall make ~~all~~ reasonable efforts to resolve
15 such threats, address such disruptions, and minimize the
16 length of suspensions ~~to the greatest extent practicable.~~

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

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

24 (b-25) Students who are suspended out-of-school for longer
25 than 3 school days shall be provided appropriate and available
26 support services during the period of their suspension. For

1 purposes of this subsection (b-25), "appropriate and available
2 support services" shall be determined solely by school
3 authorities. Within the suspension decision described in
4 subsection (b) of this Section, it shall be documented whether
5 such services are to be provided or whether it was determined
6 that there are no such appropriate and available services.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 Sec. 10-22.6. Suspension or expulsion of students; school
19 searches.

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

1 board, or with a hearing officer appointed by it, to discuss
2 their child's behavior. Such request shall be made by
3 registered or certified mail and shall state the time, place
4 and purpose of the meeting. The board, or a hearing officer
5 appointed by it, at such meeting shall state the reasons for
6 dismissal and the date on which the expulsion is to become
7 effective. If a hearing officer is appointed by the board, the
8 hearing officer shall report to the board a written summary of
9 the evidence heard at the meeting and the board may take such
10 action thereon as it finds appropriate. If the board acts to
11 expel a student, the written expulsion decision shall detail
12 the specific reasons why removing the student from the
13 learning environment is in the best interest of the school.
14 The expulsion decision shall also include a rationale as to
15 the specific duration of the expulsion. An expelled student
16 may be immediately transferred to an alternative program in
17 the manner provided in Article 13A or 13B of this Code. A
18 student must not be denied transfer because of the expulsion,
19 except in cases in which such transfer is deemed to cause a
20 threat to the safety of students or staff in the alternative
21 program. Nothing in this subsection (a) precludes a suspension
22 under subsection (b).

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

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

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

1 appropriate. If a student is suspended pursuant to this
2 subsection (b), the board shall, in the written suspension
3 decision, detail the specific act of gross disobedience or
4 misconduct resulting in the decision to suspend. The
5 suspension decision shall also include a rationale as to the
6 specific duration of the suspension.

7 (b-5) Among the many possible disciplinary interventions
8 and consequences available to school officials, school
9 exclusions, such as out-of-school suspensions and expulsions,
10 are the most serious and should only be used when the student's
11 presence poses a threat to the operation of the school, poses a
12 threat to the health or safety of students or school
13 personnel, or causes a disruption to other students' learning
14 opportunities. ~~School officials shall limit the number and~~
15 ~~duration of expulsions and suspensions to the greatest extent~~
16 ~~practicable, and it is recommended that they use them only for~~
17 ~~legitimate educational purposes.~~ To ensure that students are
18 not excluded from school unnecessarily, it is recommended that
19 school officials consider implementing proactive
20 evidence-based interventions, as defined in subsection (d) of
21 Section 10-20.14, that improve behavioral outcomes for all
22 students. In addition, it is recommended that school officials
23 consider forms of non-exclusionary discipline, if appropriate,
24 prior to using out-of-school suspensions or expulsions. Forms
25 of non-exclusionary discipline include, but are not limited
26 to, in-school suspensions that allow students to continue

1 academic instruction in an alternative environment,
2 restorative practices, and small-group instruction on behavior
3 management strategies.

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

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

25 (b-20) Unless otherwise required by this Code,
26 out-of-school suspensions of longer than 3 days, expulsions,

1 and disciplinary removals to alternative schools may be used
2 only if other appropriate and available behavioral and
3 disciplinary interventions have been attempted ~~exhausted~~ and
4 the student's conduct poses a threat to the school, poses a
5 threat to the health or safety of students or school
6 personnel, or causes a disruption to other students' learning
7 opportunities ~~continuing presence in school would either (i)~~
8 ~~pose a threat to the safety of other students, staff, or~~
9 ~~members of the school community or (ii) substantially disrupt,~~
10 ~~impede, or interfere with the operation of the school. For~~
11 purposes of this subsection (b-20), the determination of
12 whether the student's conduct poses a threat to the operation
13 of the school, poses a threat to the health or safety of
14 students or school personnel, or causes a disruption to other
15 students' learning opportunities ~~"threat to the safety of~~
16 ~~other students, staff, or members of the school community"~~ and
17 ~~"substantially disrupt, impede, or interfere with the~~
18 ~~operation of the school"~~ shall be made ~~determined~~ on a
19 case-by-case basis and solely by school officials. For
20 purposes of this subsection (b-20), the determination of
21 whether "appropriate and available behavioral and disciplinary
22 interventions have been attempted ~~exhausted~~" shall be made by
23 school authorities ~~officials~~. School officials shall make ~~all~~
24 reasonable efforts to resolve such threats, address such
25 disruptions, and minimize the length of student exclusions ~~to~~
26 ~~the greatest extent practicable.~~ Within the suspension

1 decision described in subsection (b) of this Section or the
2 expulsion decision described in subsection (a) of this
3 Section, it shall be documented whether other interventions
4 were attempted or whether it was determined that there were no
5 other appropriate and available interventions.

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

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

17 A school district shall create a policy to facilitate the
18 re-engagement of students who are suspended out-of-school,
19 expelled, or returning from an alternative school setting. In
20 consultation with stakeholders deemed appropriate by the State
21 Board of Education, the State Board of Education shall draft
22 and publish guidance for the re-engagement of students who are
23 suspended out-of-school, expelled, or returning from an
24 alternative school setting in accordance with this Section and
25 Section 13A-4 on or before July 1, 2025.

26 (b-30) A school district shall create a policy by which

1 suspended students, including those students suspended from
2 the school bus who do not have alternate transportation to
3 school, shall have the opportunity to make up work for
4 equivalent academic credit. It shall be the responsibility of
5 a student's parents or guardians to notify school officials
6 that a student suspended from the school bus does not have
7 alternate transportation to school.

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

1 further participation in the hearing or proceeding. A
2 suspension or expulsion proceeding under this subsection
3 (b-35) must be conducted independently from any ongoing
4 criminal investigation or proceeding, and an absence of
5 pending or possible criminal charges, criminal investigations,
6 or proceedings may not be a factor in school disciplinary
7 decisions.

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

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

22 (c-5) School districts shall make reasonable efforts to
23 provide ongoing professional development to all school
24 personnel, school board members, and school resource officers
25 on the requirements of this Section and Section 10-20.14, the
26 adverse consequences of school exclusion and justice-system

1 involvement, effective classroom management strategies,
2 culturally responsive discipline, trauma-responsive learning
3 environments, as defined in subsection (b) of Section 3-11,
4 the appropriate and available supportive services for the
5 promotion of student attendance and engagement, and
6 developmentally appropriate disciplinary methods that promote
7 positive and healthy school climates.

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

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

24 (2) A knife, brass knuckles or other knuckle weapon
25 regardless of its composition, a billy club, or any other
26 object if used or attempted to be used to cause bodily

1 harm, including "look alike" of any firearm as defined in
2 subdivision (1) of this subsection (d). The expulsion
3 requirement under this subdivision (2) may be modified by
4 the superintendent, and the superintendent's determination
5 may be modified by the board on a case-by-case basis.

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

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

1 of the individual's duties or employment status or status as a
2 student inside the school.

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

25 (f) Suspension or expulsion may include suspension or
26 expulsion from school and all school activities and a

1 prohibition from being present on school grounds.

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

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

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

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

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

5 (k-5) On and after July 1, 2026, the expulsion of children
6 enrolled in programs funded under Section 15-25 of the
7 Department of Early Childhood Act is subject to the
8 requirements of paragraph (7) of subsection (a) of Section
9 15-30 of the Department of Early Childhood Act.

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

17 (Source: P.A. 102-466, eff. 7-1-25; 102-539, eff. 8-20-21;
18 102-813, eff. 5-13-22; 103-594, eff. 6-25-24; 103-896, eff.
19 8-9-24; revised 9-25-24.)

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.