



Sen. Kimberly A. Lightford

Filed: 5/8/2024

10300SB1400sam003

LRB103 25975 RJT 72671 a

1 AMENDMENT TO SENATE BILL 1400

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1400 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing  
5 Sections 10-20.14 and 10-22.6 as follows:

6 (105 ILCS 5/10-20.14) (from Ch. 122, par. 10-20.14)

7 Sec. 10-20.14. Student discipline policies; parent-teacher  
8 advisory committee.

9 (a) To establish and maintain a parent-teacher advisory  
10 committee to develop with the school board or governing body  
11 of a charter school policy guidelines on student ~~pupil~~  
12 discipline, including school searches and bullying prevention  
13 as set forth in Section 27-23.7 of this Code. School  
14 authorities shall furnish a copy of the policy to the parents  
15 or guardian of each student ~~pupil~~ within 15 days after the  
16 beginning of the school year, or within 15 days after starting

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

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 ~~pupil~~ discipline policies that fulfill the  
13 requirements set forth in this Section, subsections (a) and  
14 (b) of Section 10-22.6 of this Code, Section 34-19 of this Code  
15 if 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 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 Section 10-22.6 of this  
26 Code. In consultation with stakeholders deemed appropriate by

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

5 (c) The parent-teacher advisory committee, in cooperation  
6 with school bus personnel, shall develop, with the school  
7 board, policy guideline procedures to establish and maintain  
8 school bus safety procedures. These procedures shall be  
9 incorporated into the district's student ~~pupil~~ discipline  
10 policy. In consultation with stakeholders deemed appropriate  
11 by the State Board of Education, the State Board of Education  
12 shall draft and publish guidance for school bus safety  
13 procedures in accordance with this Section on or before July  
14 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 ~~early~~ 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. 99-456, eff. 9-15-16.)

7 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

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

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

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

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

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

1 ~~pupil~~ in excess of 10 school days for safety reasons.

2 Any suspension shall be reported immediately to the  
3 parents or guardian of a student ~~pupil~~ along with a full  
4 statement of the reasons for such suspension and a notice of  
5 their right to a review. The school board must be given a  
6 summary of the notice, including the reason for the suspension  
7 and the suspension length. Upon request of the parents or  
8 guardian, the school board or a hearing officer appointed by  
9 it shall review such action of the superintendent or  
10 principal, assistant principal, or dean of students. At such  
11 review, the parents or guardian of the student ~~pupil~~ may  
12 appear and discuss the suspension with the board or its  
13 hearing officer. If a hearing officer is appointed by the  
14 board, he shall report to the board a written summary of the  
15 evidence heard at the meeting. After its hearing or upon  
16 receipt of the written report of its hearing officer, the  
17 board may take such action as it finds appropriate. If a  
18 student is suspended pursuant to this subsection (b), the  
19 board shall, in the written suspension decision, detail the  
20 specific act of gross disobedience or misconduct resulting in  
21 the decision to suspend. The suspension decision shall also  
22 include a rationale as to the specific duration of the  
23 suspension. ~~A pupil who is suspended in excess of 20 school~~  
24 ~~days may be immediately transferred to an alternative program~~  
25 ~~in the manner provided in Article 13A or 13B of this Code. A~~  
26 ~~pupil must not be denied transfer because of the suspension,~~

1 ~~except in cases in which such transfer is deemed to cause a~~  
2 ~~threat to the safety of students or staff in the alternative~~  
3 ~~program.~~

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

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

19 (b-15) Out-of-school suspensions of 3 days or less may be  
20 used only if the student's continuing presence in school would  
21 pose a threat to school safety or a disruption to other  
22 students' learning opportunities. For purposes of this  
23 subsection (b-15), "threat to school safety or a disruption to  
24 other students' learning opportunities" shall be determined on  
25 a case-by-case basis by the school board or its designee.  
26 School officials shall make all reasonable efforts to resolve

1 such threats, address such disruptions, and minimize the  
2 length of suspensions to the greatest extent practicable.

3 (b-20) Unless otherwise required by this Code,  
4 out-of-school suspensions of longer than 3 days, expulsions,  
5 and disciplinary removals to alternative schools may be used  
6 only if other appropriate and available behavioral and  
7 disciplinary interventions have been exhausted and the  
8 student's continuing presence in school would either (i) pose  
9 a threat to the safety of other students, staff, or members of  
10 the school community or (ii) substantially disrupt, impede, or  
11 interfere with the operation of the school. For purposes of  
12 this subsection (b-20), "threat to the safety of other  
13 students, staff, or members of the school community" and  
14 "substantially disrupt, impede, or interfere with the  
15 operation of the school" shall be determined on a case-by-case  
16 basis by school officials. For purposes of this subsection  
17 (b-20), the determination of whether "appropriate and  
18 available behavioral and disciplinary interventions have been  
19 exhausted" shall be made by school officials. School officials  
20 shall make all reasonable efforts to resolve such threats,  
21 address such disruptions, and minimize the length of student  
22 exclusions to the greatest extent practicable. Within the  
23 suspension decision described in subsection (b) of this  
24 Section or the expulsion decision described in subsection (a)  
25 of this Section, it shall be documented whether other  
26 interventions were attempted or whether it was determined that



1 there were no other appropriate and available interventions.

2 (b-25) Students who are suspended out-of-school for longer  
3 than 3 4 school days shall be provided appropriate and  
4 available support services during the period of their  
5 suspension. For purposes of this subsection (b-25),  
6 "appropriate and available support services" shall be  
7 determined by school authorities. Within the suspension  
8 decision described in subsection (b) of this Section, it shall  
9 be documented whether such services are to be provided or  
10 whether it was determined that there are no such appropriate  
11 and available services.

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

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

23 (b-30) A school district shall create a policy by which  
24 suspended students ~~pupils~~, including those students ~~pupils~~  
25 suspended from the school bus who do not have alternate  
26 transportation to school, shall have the opportunity to make

1 up work for equivalent academic credit. It shall be the  
2 responsibility of a student's ~~pupil's~~ parent or guardian to  
3 notify school officials that a student ~~pupil~~ suspended from  
4 the school bus does not have alternate transportation to  
5 school.

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

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

23 (d) The board may expel a student for a definite period of  
24 time not to exceed 2 calendar years, as determined on a  
25 case-by-case basis. A student who is determined to have  
26 brought one of the following objects to school, any

1 school-sponsored activity or event, or any activity or event  
2 that bears a reasonable relationship to school shall be  
3 expelled for a period of not less than one year:

4 (1) A firearm. For the purposes of this Section,  
5 "firearm" means any gun, rifle, shotgun, weapon as defined  
6 by Section 921 of Title 18 of the United States Code,  
7 firearm as defined in Section 1.1 of the Firearm Owners  
8 Identification Card Act, or firearm as defined in Section  
9 24-1 of the Criminal Code of 2012. The expulsion period  
10 under this subdivision (1) may be modified by the  
11 superintendent, and the superintendent's determination may  
12 be modified by the board on a case-by-case basis.

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

21 Expulsion or suspension shall be construed in a manner  
22 consistent with the federal Individuals with Disabilities  
23 Education Act. A student who is subject to suspension or  
24 expulsion as provided in this Section may be eligible for a  
25 transfer to an alternative school program in accordance with  
26 Article 13A of the School Code.

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

18 (e) To maintain order and security in the schools, school  
19 authorities may inspect and search places and areas such as  
20 lockers, desks, parking lots, and other school property and  
21 equipment owned or controlled by the school, as well as  
22 personal effects left in those places and areas by students,  
23 without notice to or the consent of the student, and without a  
24 search warrant. As a matter of public policy, the General  
25 Assembly finds that students have no reasonable expectation of  
26 privacy in these places and areas or in their personal effects

1 left in these places and areas. School authorities may request  
2 the assistance of law enforcement officials for the purpose of  
3 conducting inspections and searches of lockers, desks, parking  
4 lots, and other school property and equipment owned or  
5 controlled by the school for illegal drugs, weapons, or other  
6 illegal or dangerous substances or materials, including  
7 searches conducted through the use of specially trained dogs.  
8 If a search conducted in accordance with this Section produces  
9 evidence that the student has violated or is violating either  
10 the law, local ordinance, or the school's policies or rules,  
11 such evidence may be seized by school authorities, and  
12 disciplinary action may be taken. School authorities may also  
13 turn over such evidence to law enforcement authorities.

14 (f) Suspension or expulsion may include suspension or  
15 expulsion from school and all school activities and a  
16 prohibition from being present on school grounds.

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

26 (h) School officials shall not advise or encourage

1 students to drop out voluntarily due to behavioral or academic  
2 difficulties.

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

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

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

15 (l) ~~An Beginning with the 2018-2019 school year, an~~  
16 in-school suspension program provided by a school district for  
17 any students in kindergarten through grade 12 may focus on  
18 promoting non-violent conflict resolution and positive  
19 interaction with other students and school personnel. A school  
20 district may employ a school social worker or a licensed  
21 mental health professional to oversee an in-school suspension  
22 program in kindergarten through grade 12.

23 (Source: P.A. 101-81, eff. 7-12-19; 102-539, eff. 8-20-21;  
24 102-813, eff. 5-13-22.)

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

1           Sec. 10-22.6. Suspension or expulsion of students ~~pupils~~;  
2 school searches.

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4 or misconduct, including gross disobedience or misconduct  
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7 expulsion. Expulsion shall take place only after the parents  
8 or guardians have been requested to appear at a meeting of the  
9 board, or with a hearing officer appointed by it, to discuss  
10 their child's behavior. Such request shall be made by  
11 registered or certified mail and shall state the time, place  
12 and purpose of the meeting. The board, or a hearing officer  
13 appointed by it, at such meeting shall state the reasons for  
14 dismissal and the date on which the expulsion is to become  
15 effective. If a hearing officer is appointed by the board, the  
16 hearing officer ~~he~~ shall report to the board a written summary  
17 of the evidence heard at the meeting and the board may take  
18 such action thereon as it finds appropriate. If the board acts  
19 to expel a student ~~pupil~~, the written expulsion decision shall  
20 detail the specific reasons why removing the student ~~pupil~~  
21 from the learning environment is in the best interest of the  
22 school. The expulsion decision shall also include a rationale  
23 as to the specific duration of the expulsion. An expelled  
24 student ~~pupil~~ may be immediately transferred to an alternative  
25 program in the manner provided in Article 13A or 13B of this  
26 Code. A student ~~pupil~~ must not be denied transfer because of

1 the expulsion, except in cases in which such transfer is  
2 deemed to cause a threat to the safety of students or staff in  
3 the alternative program.

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

19 Any suspension shall be reported immediately to the  
20 parents or guardians of a student ~~pupil~~ along with a full  
21 statement of the reasons for such suspension and a notice of  
22 their right to a review. The school board must be given a  
23 summary of the notice, including the reason for the suspension  
24 and the suspension length. Upon request of the parents or  
25 guardians, the school board or a hearing officer appointed by  
26 it shall review such action of the superintendent or



1 principal, assistant principal, or dean of students. At such  
2 review, the parents or guardians of the student ~~pupil~~ may  
3 appear and discuss the suspension with the board or its  
4 hearing officer. If a hearing officer is appointed by the  
5 board, he shall report to the board a written summary of the  
6 evidence heard at the meeting. After its hearing or upon  
7 receipt of the written report of its hearing officer, the  
8 board may take such action as it finds appropriate. If a  
9 student is suspended pursuant to this subsection (b), the  
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11 specific act of gross disobedience or misconduct resulting in  
12 the decision to suspend. The suspension decision shall also  
13 include a rationale as to the specific duration of the  
14 suspension. ~~A pupil who is suspended in excess of 20 school~~  
15 ~~days may be immediately transferred to an alternative program~~  
16 ~~in the manner provided in Article 13A or 13B of this Code. A~~  
17 ~~pupil must not be denied transfer because of the suspension,~~  
18 ~~except in cases in which such transfer is deemed to cause a~~  
19 ~~threat to the safety of students or staff in the alternative~~  
20 ~~program.~~

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

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

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

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

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

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

19 (b-25) Students who are suspended out-of-school for longer  
20 than 3 4 school days shall be provided appropriate and  
21 available support services during the period of their  
22 suspension. For purposes of this subsection (b-25),  
23 "appropriate and available support services" shall be  
24 determined by school authorities. Within the suspension  
25 decision described in subsection (b) of this Section, it shall  
26 be documented whether such services are to be provided or

1 whether it was determined that there are no such appropriate  
2 and available services.

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

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

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

23 (b-35) In all suspension review hearings conducted under  
24 subsection (b) or expulsion hearings conducted under  
25 subsection (a), a student may disclose any factor to be  
26 considered in mitigation, including his or her status as a

1 parent, expectant parent, or victim of domestic or sexual  
2 violence, as defined in Article 26A. A representative of the  
3 parent's or guardian's choice, or of the student's choice if  
4 emancipated, must be permitted to represent the student  
5 throughout the proceedings and to address the school board or  
6 its appointed hearing officer. With the approval of the  
7 student's parent or guardian, or of the student if  
8 emancipated, a support person must be permitted to accompany  
9 the student to any disciplinary hearings or proceedings. The  
10 representative or support person must comply with any rules of  
11 the school district's hearing process. If the representative  
12 or support person violates the rules or engages in behavior or  
13 advocacy that harasses, abuses, or intimidates either party, a  
14 witness, or anyone else in attendance at the hearing, the  
15 representative or support person may be prohibited from  
16 further participation in the hearing or proceeding. A  
17 suspension or expulsion proceeding under this subsection  
18 (b-35) must be conducted independently from any ongoing  
19 criminal investigation or proceeding, and an absence of  
20 pending or possible criminal charges, criminal investigations,  
21 or proceedings may not be a factor in school disciplinary  
22 decisions.

23 (b-40) During a suspension review hearing conducted under  
24 subsection (b) or an expulsion hearing conducted under  
25 subsection (a) that involves allegations of sexual violence by  
26 the student who is subject to discipline, neither the student

1 nor his or her representative shall directly question nor have  
2 direct contact with the alleged victim. The student who is  
3 subject to discipline or his or her representative may, at the  
4 discretion and direction of the school board or its appointed  
5 hearing officer, suggest questions to be posed by the school  
6 board or its appointed hearing officer to the alleged victim.

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

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

24 (d) The board may expel a student for a definite period of  
25 time not to exceed 2 calendar years, as determined on a  
26 case-by-case basis. A student who is determined to have

1 brought one of the following objects to school, any  
2 school-sponsored activity or event, or any activity or event  
3 that bears a reasonable relationship to school shall be  
4 expelled for a period of not less than one year:

5 (1) A firearm. For the purposes of this Section,  
6 "firearm" means any gun, rifle, shotgun, weapon as defined  
7 by Section 921 of Title 18 of the United States Code,  
8 firearm as defined in Section 1.1 of the Firearm Owners  
9 Identification Card Act, or firearm as defined in Section  
10 24-1 of the Criminal Code of 2012. The expulsion period  
11 under this subdivision (1) may be modified by the  
12 superintendent, and the superintendent's determination may  
13 be modified by the board on a case-by-case basis.

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

22 Expulsion or suspension shall be construed in a manner  
23 consistent with the federal Individuals with Disabilities  
24 Education Act. A student who is subject to suspension or  
25 expulsion as provided in this Section may be eligible for a  
26 transfer to an alternative school program in accordance with

1 Article 13A of the School Code.

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

19 (e) To maintain order and security in the schools, school  
20 authorities may inspect and search places and areas such as  
21 lockers, desks, parking lots, and other school property and  
22 equipment owned or controlled by the school, as well as  
23 personal effects left in those places and areas by students,  
24 without notice to or the consent of the student, and without a  
25 search warrant. As a matter of public policy, the General  
26 Assembly finds that students have no reasonable expectation of



1 privacy in these places and areas or in their personal effects  
2 left in these places and areas. School authorities may request  
3 the assistance of law enforcement officials for the purpose of  
4 conducting inspections and searches of lockers, desks, parking  
5 lots, and other school property and equipment owned or  
6 controlled by the school for illegal drugs, weapons, or other  
7 illegal or dangerous substances or materials, including  
8 searches conducted through the use of specially trained dogs.  
9 If a search conducted in accordance with this Section produces  
10 evidence that the student has violated or is violating either  
11 the law, local ordinance, or the school's policies or rules,  
12 such evidence may be seized by school authorities, and  
13 disciplinary action may be taken. School authorities may also  
14 turn over such evidence to law enforcement authorities.

15 (f) Suspension or expulsion may include suspension or  
16 expulsion from school and all school activities and a  
17 prohibition from being present on school grounds.

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

1 adopts a policy under this subsection (g) must include a  
2 provision allowing for consideration of any mitigating  
3 factors, including, but not limited to, a student's status as  
4 a parent, expectant parent, or victim of domestic or sexual  
5 violence, as defined in Article 26A.

6 (h) School officials shall not advise or encourage  
7 students to drop out voluntarily due to behavioral or academic  
8 difficulties.

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

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

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

21 (l) ~~An Beginning with the 2018-2019 school year, an~~  
22 in-school suspension program provided by a school district for  
23 any students in kindergarten through grade 12 may focus on  
24 promoting non-violent conflict resolution and positive  
25 interaction with other students and school personnel. A school  
26 district may employ a school social worker or a licensed

1 mental health professional to oversee an in-school suspension  
2 program in kindergarten through grade 12.

3 (Source: P.A. 101-81, eff. 7-12-19; 102-466, eff. 7-1-25;  
4 102-539, eff. 8-20-21; 102-813, eff. 5-13-22.)

5 Section 95. No acceleration or delay. Where this Act makes  
6 changes in a statute that is represented in this Act by text  
7 that is not yet or no longer in effect (for example, a Section  
8 represented by multiple versions), the use of that text does  
9 not accelerate or delay the taking effect of (i) the changes  
10 made by this Act or (ii) provisions derived from any other  
11 Public Act.

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.".