



Rep. Michelle Mussman

**Filed: 3/21/2023**

10300HB3600ham001

LRB103 29452 RJT 59544 a

1 AMENDMENT TO HOUSE BILL 3600

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3600 by replacing  
3 everything after the enacting clause with the following:

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

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 pupils; school  
10 searches.

11 (a) To expel pupils guilty of gross disobedience or  
12 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

1 with a hearing officer appointed by it, to discuss their  
2 child's behavior. Such request shall be made by registered or  
3 certified mail and shall state the time, place and purpose of  
4 the meeting. The board, or a hearing officer appointed by it,  
5 at such meeting shall state the reasons for dismissal and the  
6 date on which the expulsion is to become effective. If a  
7 hearing officer is appointed by the board, he shall report to  
8 the board a written summary of the evidence heard at the  
9 meeting and the board may take such action thereon as it finds  
10 appropriate. If the board acts to expel a pupil, the written  
11 expulsion decision shall detail the specific reasons why  
12 removing the pupil from the learning environment is in the  
13 best interest of the school. The expulsion decision shall also  
14 include a rationale as to the specific duration of the  
15 expulsion. An expelled pupil may be immediately transferred to  
16 an alternative program in the manner provided in Article 13A  
17 or 13B of this Code. A pupil must not be denied transfer  
18 because of the expulsion, except in cases in which such  
19 transfer is deemed to cause a threat to the safety of students  
20 or staff in the alternative program.

21 (b) To suspend or by policy to authorize the  
22 superintendent of the district or the principal, assistant  
23 principal, or dean of students of any school to suspend pupils  
24 guilty of gross disobedience or misconduct, or to suspend  
25 pupils guilty of gross disobedience or misconduct on the  
26 school bus from riding the school bus, pursuant to subsections

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

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

1 decision, detail the specific act of gross disobedience or  
2 misconduct resulting in the decision to suspend. The  
3 suspension decision shall also include a rationale as to the  
4 specific duration of the suspension. A pupil who is suspended  
5 in excess of 20 school days may be immediately transferred to  
6 an alternative program in the manner provided in Article 13A  
7 or 13B of this Code. A pupil must not be denied transfer  
8 because of the suspension, except in cases in which such  
9 transfer is deemed to cause a threat to the safety of students  
10 or staff in the alternative program.

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

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

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

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

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

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

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

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

20 A school district shall create a policy to facilitate the  
21 re-engagement of students who are suspended out-of-school,  
22 expelled, or returning from an alternative school setting.

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

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

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

9 (c-5) School districts shall make reasonable efforts to  
10 provide ongoing professional development to teachers,  
11 administrators, school board members, school resource  
12 officers, and staff on the adverse consequences of school  
13 exclusion and justice-system involvement, effective classroom  
14 management strategies, culturally responsive discipline, the  
15 appropriate and available supportive services for the  
16 promotion of student attendance and engagement, and  
17 developmentally appropriate disciplinary methods that promote  
18 positive and healthy school climates.

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

26 (1) A firearm. For the purposes of this Section,

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

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

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

23 (d-5) The board may suspend or by regulation authorize the  
24 superintendent of the district or the principal, assistant  
25 principal, or dean of students of any school to suspend a  
26 student for a period not to exceed 10 school days or may expel



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

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

1 controlled by the school for illegal drugs, weapons, or other  
2 illegal or dangerous substances or materials, including  
3 searches conducted through the use of specially trained dogs.  
4 If a search conducted in accordance with this Section produces  
5 evidence that the student has violated or is violating either  
6 the law, local ordinance, or the school's policies or rules,  
7 such evidence may be seized by school authorities, and  
8 disciplinary action may be taken. School authorities may also  
9 turn over such evidence to law enforcement authorities.

10 (f) Suspension or expulsion may include suspension or  
11 expulsion from school and all school activities and a  
12 prohibition from being present on school grounds.

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

22 (h) School officials shall not advise or encourage  
23 students to drop out voluntarily due to behavioral or academic  
24 difficulties.

25 (i) A student may not be issued a monetary fine or fee as a  
26 disciplinary consequence, though this shall not preclude

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

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

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

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

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

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

22 Sec. 10-22.6. Suspension or expulsion of pupils; school  
23 searches.

24 (a) To expel pupils guilty of gross disobedience or  
25 misconduct, including gross disobedience or misconduct

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

25 (b) To suspend or by policy to authorize the  
26 superintendent of the district or the principal, assistant

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

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

1 its hearing or upon receipt of the written report of its  
2 hearing officer, the board may take such action as it finds  
3 appropriate. If a student is suspended pursuant to this  
4 subsection (b), the board shall, in the written suspension  
5 decision, detail the specific act of gross disobedience or  
6 misconduct resulting in the decision to suspend. The  
7 suspension decision shall also include a rationale as to the  
8 specific duration of the suspension. A pupil who is suspended  
9 in excess of 20 school days may be immediately transferred to  
10 an alternative program in the manner provided in Article 13A  
11 or 13B of this Code. A pupil must not be denied transfer  
12 because of the suspension, except in cases in which such  
13 transfer is deemed to cause a threat to the safety of students  
14 or staff in the alternative program.

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

26 (b-10) Unless otherwise required by federal law or this

1 Code, school boards may not institute zero-tolerance policies  
2 by which school administrators are required to suspend or  
3 expel students for particular behaviors.

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

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

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

13 (b-25) Students who are suspended out-of-school for longer  
14 than 4 school days shall be provided appropriate and available  
15 support services during the period of their suspension. For  
16 purposes of this subsection (b-25), "appropriate and available  
17 support services" shall be determined by school authorities.  
18 Within the suspension decision described in subsection (b) of  
19 this Section, it shall be documented whether such services are  
20 to be provided or whether it was determined that there are no  
21 such appropriate and available services.

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

24 A school district shall create a policy to facilitate the  
25 re-engagement of students who are suspended out-of-school,  
26 expelled, or returning from an alternative school setting.



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

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

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

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

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

23 (c-5) School districts shall make reasonable efforts to  
24 provide ongoing professional development to teachers,  
25 administrators, school board members, school resource  
26 officers, and staff on the adverse consequences of school

1 exclusion and justice-system involvement, effective classroom  
2 management strategies, culturally responsive discipline, the  
3 appropriate and available supportive services for the  
4 promotion of student attendance and engagement, and  
5 developmentally appropriate disciplinary methods that promote  
6 positive and healthy school climates.

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

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

23 (2) A knife, brass knuckles or other knuckle weapon  
24 regardless of its composition, a billy club, or any other  
25 object if used or attempted to be used to cause bodily  
26 harm, including "look alike" of any firearm as defined in

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

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

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

1 student inside the school.

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

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

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

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

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

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

26 (k) The expulsion of children enrolled in programs funded

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

4 (1) (Blank). ~~Beginning with the 2018-2019 school year, an~~  
5 ~~in school suspension program provided by a school district for~~  
6 ~~any students in kindergarten through grade 12 may focus on~~  
7 ~~promoting non violent conflict resolution and positive~~  
8 ~~interaction with other students and school personnel. A school~~  
9 ~~district may employ a school social worker or a licensed~~  
10 ~~mental health professional to oversee an in school suspension~~  
11 ~~program in kindergarten through grade 12.~~

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

14 (105 ILCS 5/10-22.6c new)

15 Sec. 10-22.6c. Shortened school day or removal of student  
16 from school initiated by school personnel; documentation and  
17 notice.

18 (a) When a student's school day is reduced by school  
19 personnel, including when the student is sent home during the  
20 school day, assigned to an in-school suspension, told not to  
21 come to school for non-medical reasons, or for other reasons  
22 that are not valid causes for absence under this Code,  
23 including behaviors that do not rise to the level of gross  
24 disobedience or misconduct, such actions by school personnel  
25 must be documented, and the student's parent or guardian must

1 be provided a notice in writing describing the action taken  
2 and the specific reason or reasons for the action. The  
3 documentation and written notice must be made part of the  
4 student's temporary school record pursuant to the Illinois  
5 School Student Records Act.

6 (b) If a removal is for gross disobedience or misconduct  
7 the written notice must comply with Section 22.6.

8 (c) A shortened school day or removal of a student with a  
9 disability initiated by school personnel pursuant to  
10 subsection (a) shall also conform with the applicable  
11 provisions of the federal Individuals with Disabilities  
12 Education Act, 20 U.S.C. 1400 et seq.; Section 504 of the  
13 federal Rehabilitation Act of 1973, 29 U.S.C. 701 et seq.;  
14 Article 14 of this Code; and any other applicable federal or  
15 State rules, including, but not limited to, 34 CFR 300.530  
16 through 300.536.

17 (d) The written notice to the parents or guardian of a  
18 student with a disability provided under subsection (a) must  
19 inform the parents or guardian of the school district's  
20 responsibility to convene a meeting of the student's IEP team  
21 or Section 504 plan team to review the student's behavioral  
22 intervention plan or to develop such a plan, and of the  
23 parent's right to request such a meeting, if the cumulative  
24 number of days of removal of the student exceeds 10 in a school  
25 year.



1 (105 ILCS 5/10-22.6d new)

2 Sec. 10-22.6d. In-school suspension.

3 (a) In this Section, "in-school suspension" means the  
4 temporary removal of a student from the student'-s regular  
5 classroom initiated by school personnel for disciplinary  
6 purposes while the student remains under the direct  
7 supervision of school personnel.

8 (b) A school board shall authorize a superintendent of the  
9 district or the principal, assistant principal, or dean of  
10 students of any school to assign students guilty of gross  
11 disobedience or misconduct to in-school suspension, and no  
12 action shall lie against them for the in-school suspension.

13 (c) Before assigning a student to in-school suspension,  
14 the charges shall be explained to the student, and the student  
15 shall be given an opportunity to respond to the charges.

16 (d) Students shall be given the opportunity to complete  
17 classroom work during the in-school suspension for equivalent  
18 academic credit. An in-school suspension program provided by a  
19 school district for any students in kindergarten through grade  
20 12 may focus on promoting non-violent conflict resolution and  
21 positive interaction with other students and school personnel.  
22 A school district may employ a school social worker or a  
23 licensed mental health professional to oversee an in-school  
24 suspension program in kindergarten through grade 12.

25 (e) The parents or guardians of a student shall be  
26 provided with written notice of any in-school suspension,

1 along with a full statement of the reasons for such in-school  
2 suspension. If the student is a student with a disability, the  
3 written notice shall also state whether the student will  
4 receive the instruction and services specified in the  
5 student's individualized educational program during the  
6 in-school suspension.

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

14       Section 99. Effective date. This Act takes effect upon  
15 becoming law."