



Rep. William "Will" Davis

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LRB104 10321 LNS 25031 a

1 AMENDMENT TO HOUSE BILL 3772

2 AMENDMENT NO. _____. Amend House Bill 3772 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing
5 Sections 2-3.71, 2-3.162, 10-22.6, 13B-20.25, 13B-20.30, and
6 13B-25.5 as follows:

7 (105 ILCS 5/2-3.71) (from Ch. 122, par. 2-3.71)
8 Sec. 2-3.71. Grants for preschool educational programs.
9 (a) Preschool program.

10 (1) Through June 30, 2026, the State Board of
11 Education shall implement and administer a grant program
12 under the provisions of this subsection which shall
13 consist of grants to public school districts and other
14 eligible entities, as defined by the State Board of
15 Education, to conduct voluntary preschool educational
16 programs for children ages 3 to 5 which include a parent

1 education component. A public school district which
2 receives grants under this subsection may subcontract with
3 other entities that are eligible to conduct a preschool
4 educational program. These grants must be used to
5 supplement, not supplant, funds received from any other
6 source.

7 (1.5) On and after July 1, 2026, the Department of
8 Early Childhood shall implement and administer a grant
9 program for school districts and other eligible entities,
10 as defined by the Department, to conduct voluntary
11 preschool educational programs for children ages 3 to 5
12 which include a parent education component. A public
13 school district which receives grants under this
14 subsection may subcontract with other entities that are
15 eligible to conduct a preschool educational program. These
16 grants must be used to supplement, not supplant, funds
17 received from any other source.

18 (2) (Blank).

19 (3) Except as otherwise provided under this subsection
20 (a), any teacher of preschool children in the program
21 authorized by this subsection shall hold a Professional
22 Educator License with an early childhood education
23 endorsement.

24 (3.5) Beginning with the 2018-2019 school year and
25 until the 2028-2029 school year, an individual may teach
26 preschool children in an early childhood program under

1 this Section if he or she holds a Professional Educator
2 License with an early childhood education endorsement or
3 with short-term approval for early childhood education or
4 he or she pursues a Professional Educator License and
5 holds any of the following:

6 (A) An ECE Credential Level of 5 awarded by the
7 Department of Human Services under the Gateways to
8 Opportunity Program developed under Section 10-70 of
9 the Department of Human Services Act.

10 (B) An Educator License with Stipulations with a
11 transitional bilingual educator endorsement and he or
12 she has (i) passed an early childhood education
13 content test or (ii) completed no less than 9 semester
14 hours of postsecondary coursework in the area of early
15 childhood education.

16 (4) (Blank).

17 (4.5) Through June 30, 2026, the State Board of
18 Education shall provide the primary source of funding
19 through appropriations for the program. On and after July
20 1, 2026, the Department of Early Childhood shall provide
21 the primary source of funding through appropriations for
22 the program. Such funds shall be distributed to achieve a
23 goal of "Preschool for All Children" for the benefit of
24 all children whose families choose to participate in the
25 program. Based on available appropriations, newly funded
26 programs shall be selected through a process giving first

1 priority to qualified programs serving primarily at-risk
2 children and second priority to qualified programs serving
3 primarily children with a family income of less than 4
4 times the poverty guidelines updated periodically in the
5 Federal Register by the U.S. Department of Health and
6 Human Services under the authority of 42 U.S.C. 9902(2).
7 For purposes of this paragraph (4.5), at-risk children are
8 those who because of their home and community environment
9 are subject to such language, cultural, economic and like
10 disadvantages to cause them to have been determined as a
11 result of screening procedures to be at risk of academic
12 failure. Through June 30, 2026, such screening procedures
13 shall be based on criteria established by the State Board
14 of Education. On and after July 1, 2026, such screening
15 procedures shall be based on criteria established by the
16 Department of Early Childhood.

17 Except as otherwise provided in this paragraph (4.5),
18 grantees under the program must enter into a memorandum of
19 understanding with the appropriate local Head Start
20 agency. This memorandum must be entered into no later than
21 3 months after the award of a grantee's grant under the
22 program, except that, in the case of the 2009-2010 program
23 year, the memorandum must be entered into no later than
24 the deadline set by the State Board of Education for
25 applications to participate in the program in fiscal year
26 2011, and must address collaboration between the grantee's

1 program and the local Head Start agency on certain issues,
2 which shall include without limitation the following:

3 (A) educational activities, curricular objectives,
4 and instruction;

5 (B) public information dissemination and access to
6 programs for families contacting programs;

7 (C) service areas;

8 (D) selection priorities for eligible children to
9 be served by programs;

10 (E) maximizing the impact of federal and State
11 funding to benefit young children;

12 (F) staff training, including opportunities for
13 joint staff training;

14 (G) technical assistance;

15 (H) communication and parent outreach for smooth
16 transitions to kindergarten;

17 (I) provision and use of facilities,
18 transportation, and other program elements;

19 (J) facilitating each program's fulfillment of its
20 statutory and regulatory requirements;

21 (K) improving local planning and collaboration;
22 and

23 (L) providing comprehensive services for the
24 neediest Illinois children and families.

25 Through June 30, 2026, if the appropriate local Head Start
26 agency is unable or unwilling to enter into a memorandum

1 of understanding as required under this paragraph (4.5),
2 the memorandum of understanding requirement shall not
3 apply and the grantee under the program must notify the
4 State Board of Education in writing of the Head Start
5 agency's inability or unwillingness. The State Board of
6 Education shall compile all such written notices and make
7 them available to the public. On and after July 1, 2026, if
8 the appropriate local Head Start agency is unable or
9 unwilling to enter into a memorandum of understanding as
10 required under this paragraph (4.5), the memorandum of
11 understanding requirement shall not apply and the grantee
12 under the program must notify the Department of Early
13 Childhood in writing of the Head Start agency's inability
14 or unwillingness. The Department of Early Childhood shall
15 compile all such written notices and make them available
16 to the public.

17 (5) Through June 30, 2026, the State Board of
18 Education shall develop and provide evaluation tools,
19 including tests, that school districts and other eligible
20 entities may use to evaluate children for school readiness
21 prior to age 5. The State Board of Education shall require
22 school districts and other eligible entities to obtain
23 consent from the parents or guardians of children before
24 any evaluations are conducted. The State Board of
25 Education shall encourage local school districts and other
26 eligible entities to evaluate the population of preschool

1 children in their communities and provide preschool
2 programs, pursuant to this subsection, where appropriate.

3 (5.1) On and after July 1, 2026, the Department of
4 Early Childhood shall develop and provide evaluation
5 tools, including tests, that school districts and other
6 eligible entities may use to evaluate children for school
7 readiness prior to age 5. The Department of Early
8 Childhood shall require school districts and other
9 eligible entities to obtain consent from the parents or
10 guardians of children before any evaluations are
11 conducted. The Department of Early Childhood shall
12 encourage local school districts and other eligible
13 entities to evaluate the population of preschool children
14 in their communities and provide preschool programs,
15 pursuant to this subsection, where appropriate.

16 (6) Through June 30, 2026, the State Board of
17 Education shall report to the General Assembly by November
18 1, 2018 and every 2 years thereafter on the results and
19 progress of students who were enrolled in preschool
20 educational programs, including an assessment of which
21 programs have been most successful in promoting academic
22 excellence and alleviating academic failure. Through June
23 30, 2026, the State Board of Education shall assess the
24 academic progress of all students who have been enrolled
25 in preschool educational programs.

26 Through fiscal year 2026, on or before November 1 of

1 each fiscal year in which the General Assembly provides
2 funding for new programs under paragraph (4.5) of this
3 Section, the State Board of Education shall report to the
4 General Assembly on what percentage of new funding was
5 provided to programs serving primarily at-risk children,
6 what percentage of new funding was provided to programs
7 serving primarily children with a family income of less
8 than 4 times the federal poverty level, and what
9 percentage of new funding was provided to other programs.

10 (6.1) On and after July 1, 2026, the Department of
11 Early Childhood shall report to the General Assembly by
12 November 1, 2026 and every 2 years thereafter on the
13 results and progress of students who were enrolled in
14 preschool educational programs, including an assessment of
15 which programs have been most successful in promoting
16 academic excellence and alleviating academic failure. On
17 and after July 1, 2026, the Department of Early Childhood
18 shall assess the academic progress of all students who
19 have been enrolled in preschool educational programs.
20 Beginning in fiscal year 2027, on or before November 1 of
21 each fiscal year in which the General Assembly provides
22 funding for new programs under paragraph (4.5) of this
23 Section, the Department of Early Childhood shall report to
24 the General Assembly on what percentage of new funding was
25 provided to programs serving primarily at-risk children,
26 what percentage of new funding was provided to programs

1 serving primarily children with a family income of less
2 than 4 times the federal poverty level, and what
3 percentage of new funding was provided to other programs.

4 (7) Due to evidence that expulsion practices in the
5 preschool years are linked to poor child outcomes and are
6 employed inconsistently across racial and gender groups,
7 early childhood programs receiving State funds under this
8 subsection (a) shall prohibit expulsions. Planned
9 transitions to settings that are able to better meet a
10 child's needs are not considered expulsion under this
11 paragraph (7).

12 (A) When persistent and serious challenging
13 behaviors emerge, the early childhood program shall
14 document steps taken to ensure that the child can
15 participate safely in the program; including
16 observations of initial and ongoing challenging
17 behaviors, strategies for remediation and intervention
18 plans to address the behaviors, and communication with
19 the parent or legal guardian, including participation
20 of the parent or legal guardian in planning and
21 decision-making.

22 (B) The early childhood program shall, with
23 parental or legal guardian consent as required,
24 utilize a range of community resources, if available
25 and deemed necessary, including, but not limited to,
26 developmental screenings, referrals to programs and

1 services administered by a local educational agency or
2 early intervention agency under Parts B and C of the
3 federal Individual with Disabilities Education Act,
4 and consultation with infant and early childhood
5 mental health consultants and the child's health care
6 provider. The program shall document attempts to
7 engage these resources, including parent or legal
8 guardian participation and consent attempted and
9 obtained. Communication with the parent or legal
10 guardian shall take place in a culturally and
11 linguistically competent manner.

12 (C) If there is documented evidence that all
13 available interventions and supports recommended by a
14 qualified professional have been exhausted and the
15 program determines in its professional judgment that
16 transitioning a child to another program is necessary
17 for the well-being of the child or his or her peers and
18 staff, with parent or legal guardian permission, both
19 the current and pending programs shall create a
20 transition plan designed to ensure continuity of
21 services and the comprehensive development of the
22 child. Communication with families shall occur in a
23 culturally and linguistically competent manner.

24 (D) Nothing in this paragraph (7) shall preclude a
25 parent's or legal guardian's right to voluntarily
26 withdraw his or her child from an early childhood

1 program. Early childhood programs shall request and
2 keep on file, when received, a written statement from
3 the parent or legal guardian stating the reason for
4 his or her decision to withdraw his or her child.

5 (E) In the case of the determination of a serious
6 safety threat to a child or others or in the case of
7 behaviors listed in subsection (d) of Section 10-22.6
8 of this Code, the temporary removal of a child from
9 attendance in group settings may be used. Temporary
10 removal of a child from attendance in a group setting
11 shall trigger the process detailed in subparagraphs
12 (A), (B), and (C) of this paragraph (7), with the child
13 placed back in a group setting as quickly as possible.

14 (F) Early childhood programs may utilize and the
15 Department of Early Childhood, State Board of
16 Education, the Department of Human Services, and the
17 Department of Children and Family Services shall
18 recommend training, technical support, and
19 professional development resources to improve the
20 ability of teachers, administrators, program
21 directors, and other staff to promote social-emotional
22 development and behavioral health, to address
23 challenging behaviors, and to understand trauma and
24 trauma-informed care, cultural competence, family
25 engagement with diverse populations, the impact of
26 implicit bias on adult behavior, and the use of

1 reflective practice techniques. Support shall include
2 the availability of resources to contract with infant
3 and early childhood mental health consultants.

4 (G) Through June 30, 2026, early childhood
5 programs shall annually report to the State Board of
6 Education, and, beginning in fiscal year 2020, the
7 State Board of Education shall make available on a
8 biennial basis, in an existing report, all of the
9 following data for children from birth to age 5 who are
10 served by the program:

11 (i) Total number served over the course of the
12 program year and the total number of children who
13 left the program during the program year.

14 (ii) Number of planned transitions to another
15 program due to children's behavior, by children's
16 race, gender, disability, language, class/group
17 size, teacher-child ratio, and length of program
18 day.

19 (iii) Number of temporary removals of a child
20 from attendance in group settings due to a serious
21 safety threat under subparagraph (E) of this
22 paragraph (7), by children's race, gender,
23 disability, language, class/group size,
24 teacher-child ratio, and length of program day.

25 (iv) Hours of infant and early childhood
26 mental health consultant contact with program

1 leaders, staff, and families over the program
2 year.

3 (G-5) On and after July 1, 2026, early childhood
4 programs shall annually report to the Department of
5 Early Childhood, and beginning in fiscal year 2028,
6 the Department of Early Childhood shall make available
7 on a biennial basis, in a report, all of the following
8 data for children from birth to age 5 who are served by
9 the program:

10 (i) Total number served over the course of the
11 program year and the total number of children who
12 left the program during the program year.

13 (ii) Number of planned transitions to another
14 program due to children's behavior, by children's
15 race, gender, disability, language, class/group
16 size, teacher-child ratio, and length of program
17 day.

18 (iii) Number of temporary removals of a child
19 from attendance in group settings due to a serious
20 safety threat under subparagraph (E) of this
21 paragraph (7), by children's race, gender,
22 disability, language, class/group size,
23 teacher-child ratio, and length of program day.

24 (iv) Hours of infant and early childhood
25 mental health consultant contact with program
26 leaders, staff, and families over the program

1 year.

2 (H) Changes to services for children with an
3 individualized education program or individual family
4 service plan shall be construed in a manner consistent
5 with the federal Individuals with Disabilities
6 Education Act.

7 The Department of Early Childhood, in consultation
8 with the Department of Children and Family Services, shall
9 adopt rules to administer this paragraph (7).

10 (8) Due to evidence that suspension practices in the
11 preschool years are linked to poor child outcomes and are
12 employed inconsistently across racial and gender groups,
13 early childhood programs that receive State funds under
14 this subsection (a) shall restrict suspensions as provided
15 in this paragraph (8). Planned transitions to settings
16 that are able to better meet a child's needs are not
17 considered a suspension for purposes of this paragraph
18 (8). The decision to suspend a student in preschool for 4
19 or more days may be made only by the superintendent of the
20 school district, the director of an early childhood
21 program, or an individual with comparable supervisory
22 authority, and the length of the suspension of a student
23 in preschool may not exceed the number of days required by
24 the school district or early childhood program to develop
25 and implement a behavior intervention plan or safety plan.

26 (b) (Blank).

1 (c) Notwithstanding any other provisions of this Section,
2 grantees may serve children ages 0 to 12 of essential workers
3 if the Governor has declared a disaster due to a public health
4 emergency pursuant to Section 7 of the Illinois Emergency
5 Management Agency Act. For the purposes of this subsection,
6 essential workers include those outlined in Executive Order
7 20-8 and school employees. The State Board of Education shall
8 adopt rules to administer this subsection.

9 (d) Paragraphs (a) (1), (a) (1.5), (a) (4.5), (a) (5),
10 (a) (5.1), (a) (6), (a) (6.1), and (a) (7) and subsection (c) of
11 this Section are inoperative on and after July 1, 2026.

12 (Source: P.A. 103-111, eff. 6-29-23; 103-594, eff. 6-25-24.)

13 (105 ILCS 5/2-3.162)

14 Sec. 2-3.162. Student discipline report; school discipline
15 improvement plan.

16 (a) On or before October 31, 2015 and on or before October
17 31 of each subsequent year, the State Board of Education,
18 through the State Superintendent of Education, shall prepare a
19 report on student discipline in all school districts in this
20 State, including State-authorized charter schools. This report
21 shall include data from all public schools within school
22 districts, including district-authorized charter schools. This
23 report must be posted on the Internet website of the State
24 Board of Education. The report shall include data on the
25 issuance of out-of-school suspensions, expulsions, and

1 removals to alternative settings in lieu of another
2 disciplinary action, disaggregated by race and ethnicity,
3 gender, age, grade level, whether a student is an English
4 learner, incident type, and discipline duration. On or before
5 July 31, 2026, and on or before each July 31 thereafter, each
6 school district in the State, including State-authorized
7 charter schools shall report this data to the State Board of
8 Education in the form and manner prescribed by the State Board
9 of Education.

10 (b) The State Board of Education shall analyze the data
11 under subsection (a) of this Section on an annual basis and
12 determine the top 20% of school districts for the following
13 metrics:

14 (1) Total number of out-of-school suspensions divided
15 by the total district enrollment by the last school day in
16 September for the year in which the data was collected,
17 multiplied by 100.

18 (2) Total number of out-of-school expulsions divided
19 by the total district enrollment by the last school day in
20 September for the year in which the data was collected,
21 multiplied by 100.

22 (3) Racial disproportionality, defined as the
23 overrepresentation of students of color or white students
24 in comparison to the total number of students of color or
25 white students on October 1st of the school year in which
26 data are collected, with respect to the use of

1 out-of-school suspensions and expulsions, which must be
2 calculated using the same method as the U.S. Department of
3 Education's Office for Civil Rights uses.

4 The analysis must be based on data collected over 3
5 consecutive school years, beginning with the 2014-2015 school
6 year.

7 Beginning with the 2017-2018 school year, the State Board
8 of Education shall require each of the school districts that
9 are identified in the top 20% of any of the metrics described
10 in this subsection (b) for 3 consecutive years to submit a plan
11 identifying the strategies the school district will implement
12 to reduce the use of exclusionary disciplinary practices or
13 racial disproportionality or both, if applicable. School
14 districts that no longer meet the criteria described in any of
15 the metrics described in this subsection (b) for 3 consecutive
16 years shall no longer be required to submit a plan.

17 This plan may be combined with any other improvement plans
18 required under federal or State law.

19 The calculation of the top 20% of any of the metrics
20 described in this subsection (b) shall exclude all school
21 districts, State-authorized charter schools, and special
22 charter districts that issued fewer than a total of 10
23 out-of-school suspensions or expulsions, whichever is
24 applicable, during the school year. The calculation of the top
25 20% of the metric described in subdivision (3) of this
26 subsection (b) shall exclude all school districts with an

1 enrollment of fewer than 50 white students or fewer than 50
2 students of color.

3 The plan must be approved at a public school board meeting
4 and posted on the school district's Internet website. Within
5 one year after being identified, the school district shall
6 submit to the State Board of Education and post on the
7 district's Internet website a progress report describing the
8 implementation of the plan and the results achieved.

9 (Source: P.A. 99-30, eff. 7-10-15; 99-78, eff. 7-20-15;
10 100-863, eff. 8-14-18.)

11 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

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

13 Sec. 10-22.6. Suspension or expulsion of students; school
14 searches.

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

1 date on which the expulsion is to become effective. If a
2 hearing officer is appointed by the board, the hearing officer
3 shall report to the board a written summary of the evidence
4 heard at the meeting and the board may take such action thereon
5 as it finds appropriate. If the board acts to expel a student,
6 the written expulsion decision shall detail the specific
7 reasons why removing the student from the learning environment
8 is in the best interest of the school. The expulsion decision
9 shall also include a rationale as to the specific duration of
10 the expulsion. An expelled student may be immediately
11 transferred to an alternative program in the manner provided
12 in Article 13A or 13B of this Code. A student must not be
13 denied transfer because of the expulsion, except in cases in
14 which such transfer is deemed to cause a threat to the safety
15 of students or staff in the alternative program.

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

1 to exceed 10 school days. If a student is suspended due to
2 gross disobedience or misconduct on a school bus, the board
3 may suspend the student in excess of 10 school days for safety
4 reasons.

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

26 (b-5) Among the many possible disciplinary interventions

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

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

15 (b-15) Out-of-school suspensions of 3 days or less may be
16 used only if the student's continuing presence in school would
17 pose a threat to school safety or a disruption to other
18 students' learning opportunities. For purposes of this
19 subsection (b-15), "threat to school safety or a disruption to
20 other students' learning opportunities" shall be determined on
21 a case-by-case basis 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 exhausted and the
4 student's continuing presence in school would either (i) pose
5 a threat to the safety of other students, staff, or members of
6 the school community or (ii) substantially disrupt, impede, or
7 interfere with the operation of the school. For purposes of
8 this subsection (b-20), "threat to the safety of other
9 students, staff, or members of the school community" and
10 "substantially disrupt, impede, or interfere with the
11 operation of the school" shall be determined on a case-by-case
12 basis by school officials. For purposes of this subsection
13 (b-20), the determination of whether "appropriate and
14 available behavioral and disciplinary interventions have been
15 exhausted" shall be made by school officials. School officials
16 shall make all reasonable efforts to resolve such threats,
17 address such disruptions, and minimize the length of student
18 exclusions to the greatest extent practicable. Within the
19 suspension decision described in subsection (b) of this
20 Section or the expulsion decision described in subsection (a)
21 of this Section, it shall be documented whether other
22 interventions were attempted or whether it was determined that
23 there were no 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 by school authorities.
3 Within the suspension decision described in subsection (b) of
4 this Section, it shall be documented whether such services are
5 to be provided or whether it was determined that there are no
6 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 in grades 3 through 12 or, if
21 required by the federal Gun-Free Schools Act, students in
22 kindergarten through grade 2, who are guilty of gross
23 disobedience or misconduct, including gross disobedience or
24 misconduct perpetuated by electronic means, pursuant to
25 subsection (b-20) of this Section, and no action shall lie

1 against them for such expulsion. Beginning July 1, 2026,
2 unless otherwise required by the federal Gun-Free Schools Act,
3 in no case may a school board expel a student in kindergarten
4 through grade 2. Subject to this grade-level restriction,
5 expulsion ~~Expulsion~~ shall take place only after the parents or
6 guardians have been requested to appear at a meeting of the
7 board, or with a hearing officer appointed by it, to discuss
8 their child's behavior. Such request shall be made by
9 registered or certified mail and shall state the time, place
10 and purpose of the meeting. The board, or a hearing officer
11 appointed by it, at such meeting shall state the reasons for
12 dismissal and the date on which the expulsion is to become
13 effective. If a hearing officer is appointed by the board, the
14 hearing officer shall report to the board a written summary of
15 the evidence heard at the meeting and the board may take such
16 action thereon as it finds appropriate. If the board acts to
17 expel a student, the written expulsion decision shall detail
18 the specific reasons why removing the student from the
19 learning environment is in the best interest of the school.
20 The expulsion decision shall also include a rationale as to
21 the specific duration of the expulsion. An expelled student
22 may be immediately transferred to an alternative program in
23 the manner provided in Article 13A or 13B of this Code. A
24 student must not be denied transfer because of the expulsion,
25 except in cases in which such transfer is deemed to cause a
26 threat to the safety of students or staff in the alternative

1 program.

2 (b) To suspend or by policy to authorize the
3 superintendent of the district or the principal, assistant
4 principal, or dean of students of any school to suspend
5 students guilty of gross disobedience or misconduct, or to
6 suspend students guilty of gross disobedience or misconduct on
7 the school bus from riding the school bus, pursuant to
8 subsections (b-15) and (b-20) of this Section, and no action
9 shall lie against them for such suspension. The board may by
10 policy authorize the superintendent of the district or the
11 principal, assistant principal, or dean of students of any
12 school to suspend students guilty of such acts for a period not
13 to exceed 10 school days. If a student is suspended due to
14 gross disobedience or misconduct on a school bus, the board
15 may suspend the student in excess of 10 school days for safety
16 reasons. Notwithstanding any other provision of this Section,
17 beginning July 1, 2026, the decision to suspend a student in
18 kindergarten through grade 2 for 4 or more days be made only by
19 the superintendent of the district, and the length of the
20 suspension of a student in kindergarten through grade 2 may
21 not exceed the number of days required for the district to
22 develop and implement a behavior intervention plan or safety
23 plan.

24 Any suspension shall be reported immediately to the
25 parents or guardians of a student along with a full statement
26 of the reasons for such suspension and a notice of their right

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

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

1 recommended that school officials consider forms of
2 non-exclusionary discipline prior to using out-of-school
3 suspensions or expulsions.

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

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

19 (b-20) Unless otherwise required by this Code,
20 out-of-school suspensions of longer than 3 days, expulsions
21 for students in grades 3 through 12 (or, if required by the
22 federal Gun-Free Schools Act, expulsions for students in
23 kindergarten through grade 2), and disciplinary removals to
24 alternative schools for students who meet the grade-level
25 restrictions set forth in Articles 13A and 13B may be used only
26 if other appropriate and available behavioral and disciplinary

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

22 (b-25) Students who are suspended out-of-school for longer
23 than 3 school days shall be provided appropriate and available
24 support services during the period of their suspension. For
25 purposes of this subsection (b-25), "appropriate and available
26 support services" shall be determined by school authorities.

1 Within the suspension decision described in subsection (b) of
2 this Section, it shall be documented whether such services are
3 to be provided or whether it was determined that there are no
4 such appropriate and available services.

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

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

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

24 (b-35) In all suspension review hearings conducted under
25 subsection (b) or expulsion hearings conducted under
26 subsection (a), a student may disclose any factor to be

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

24 (b-40) During a suspension review hearing conducted under
25 subsection (b) or an expulsion hearing conducted under
26 subsection (a) that involves allegations of sexual violence by

1 the student who is subject to discipline, neither the student
2 nor his or her representative shall directly question nor have
3 direct contact with the alleged victim. The student who is
4 subject to discipline or his or her representative may, at the
5 discretion and direction of the school board or its appointed
6 hearing officer, suggest questions to be posed by the school
7 board or its appointed hearing officer to the alleged victim.

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

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

24 (d) The board may expel a student in grades 3 through 12
25 or, if required by the federal Gun-Free Schools Act, a student
26 in kindergarten through grade 2, for a definite period of time

1 not to exceed 2 calendar years, as determined on a
2 case-by-case basis. A student who is determined to have
3 brought or possessed one of the following objects to or at
4 school, any school-sponsored activity or event, or any
5 activity or event that bears a reasonable relationship to
6 school shall be expelled for a period of not less than one
7 year:

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

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

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

7 (d-5) For a student in grades 3 through 12, the ~~The~~ board
8 may suspend or, by regulation, authorize the superintendent of
9 the district or the principal, assistant principal, or dean of
10 students of any school to suspend or, for a student in
11 kindergarten through grade 2, the board may suspend or, by
12 regulation, authorize the superintendent of the district to
13 suspend a student for a period not to exceed 10 school days or
14 may expel a student in grades 3 through 12 or, if required by
15 the federal Gun-Free Schools Act, a student in kindergarten
16 through grade 2, 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. The suspension of students
5 enrolled in programs funded under Section 1C-2 of this Code is
6 subject to the requirements of paragraph (8) of subsection (a)
7 of Section 2-3.71 of this Code.

8 (k-5) On and after July 1, 2026, the expulsion of children
9 enrolled in programs funded under Section 15-25 of the
10 Department of Early Childhood Act is subject to the
11 requirements of paragraph (7) of subsection (a) of Section
12 15-30 of the Department of Early Childhood Act. The suspension
13 of students enrolled in programs funded under Section 1C-2 of
14 this Code is subject to the requirements of paragraph (8) of
15 subsection (a) of Section 15-30 of the Department of Early
16 Childhood Act.

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

24 (Source: P.A. 102-466, eff. 7-1-25; 102-539, eff. 8-20-21;
25 102-813, eff. 5-13-22; 103-594, eff. 6-25-24; 103-896, eff.
26 8-9-24; revised 9-25-24.)

1 (105 ILCS 5/13B-20.25)

2 Sec. 13B-20.25. Eligible students. Students in
3 kindergarten ~~grades 4~~ through grade 12 who meet enrollment
4 criteria established by the school district and who meet the
5 definition of "student at risk of academic failure" are
6 eligible to participate in an alternative learning
7 opportunities program funded under this Article.
8 Notwithstanding any other provision of law to the contrary,
9 enrollment in a charter alternative learning opportunities
10 program shall be open to any student ~~pupil~~ who has been
11 expelled or suspended ~~for more than 20 days~~ under Section
12 10-22.6 or 34-19 of this Code. All rights granted under this
13 Article to a student's parent or guardian become exclusively
14 those of the student upon the student's 18th birthday.

15 (Source: P.A. 97-495, eff. 1-1-12.)

16 (105 ILCS 5/13B-20.30)

17 Sec. 13B-20.30. Location of program. A school district
18 must consider offering an alternative learning opportunities
19 program on-site in the regular school. An alternative learning
20 opportunities program may be provided at facilities separate
21 from the regular school or in classrooms elsewhere on school
22 premises; however, in no instance shall a student in
23 kindergarten through grade 5 who is enrolled in an alternative
24 learning opportunities program participate in that program or

1 receive services outside of the student's home district. A
2 school district is encouraged to ensure that educational
3 supports and other services are provided to the student as
4 part of the student's activities in the classroom to which the
5 student is originally assigned, unless the nature of the
6 services dictate otherwise..

7 (Source: P.A. 92-42, eff. 1-1-02.)

8 (105 ILCS 5/13B-25.5)

9 Sec. 13B-25.5. General standards for eligibility for
10 funding. To be eligible for funding, an alternative learning
11 opportunities program must provide evidence of an
12 administrative structure, program activities, program staff, a
13 budget, and a specific curriculum that is consistent with
14 Illinois Learning Standards but may be different from the
15 regular school program in terms of location, subject to the
16 limitations set forth in Section 13B-20.30 of this Code,
17 length of school day, program sequence, pace, instructional
18 activities, or any combination of these.

19 (Source: P.A. 92-42, eff. 1-1-02.)

20 Section 10. The Department of Early Childhood Act is
21 amended by changing Section 15-30 as follows:

22 (325 ILCS 3/15-30)

23 Sec. 15-30. Grants for preschool educational programs.

1 (a) Preschool program.

2 (1) Through June 30, 2026, The State Board of
3 Education shall implement and administer a grant program
4 to conduct voluntary preschool educational programs for
5 children ages 3 to 5, which include a parent education
6 component, pursuant to Section 2-3.71 of the School Code.

7 (2) On and after July 1, 2026, the Department of Early
8 Childhood shall implement and administer a grant program
9 for school districts and other eligible entities, as
10 defined by the Department, to conduct voluntary preschool
11 educational programs for children ages 3 to 5 which
12 include a parent education component. A public school
13 district which receives grants under this subsection may
14 subcontract with other entities that are eligible to
15 conduct a preschool educational program. These grants must
16 be used to supplement, not supplant, funds received from
17 any other source.

18 (3) Except as otherwise provided under this subsection
19 (a), any teacher of preschool children in the program
20 authorized by this subsection shall hold a Professional
21 Educator License with an early childhood education
22 endorsement.

23 (3.5) Beginning with the 2018-2019 school year and
24 until the 2028-2029 school year, an individual may teach
25 preschool children in an early childhood program under
26 this Section if he or she holds a Professional Educator

1 License with an early childhood education endorsement or
2 with short-term approval for early childhood education or
3 he or she pursues a Professional Educator License and
4 holds any of the following:

5 (A) An ECE Credential Level of 5 awarded by the
6 Department of Human Services under the Gateways to
7 Opportunity Program developed under Section 10-70 of
8 the Department of Human Services Act.

9 (B) An Educator License with Stipulations with a
10 transitional bilingual educator endorsement and he or
11 she has (i) passed an early childhood education
12 content test or (ii) completed no less than 9 semester
13 hours of postsecondary coursework in the area of early
14 childhood education.

15 (4) Through June 30, 2026, the State Board of
16 Education shall provide the primary source of funding
17 through appropriations for the program. On and after July
18 1, 2026, the Department of Early Childhood shall provide
19 the primary source of funding through appropriations for
20 the program. Such funds shall be distributed to achieve a
21 goal of "Preschool for All Children" for the benefit of
22 all children whose families choose to participate in the
23 program. Based on available appropriations, newly funded
24 programs shall be selected through a process giving first
25 priority to qualified programs serving primarily at-risk
26 children and second priority to qualified programs serving

1 primarily children with a family income of less than 4
2 times the poverty guidelines updated periodically in the
3 Federal Register by the U.S. Department of Health and
4 Human Services under the authority of 42 U.S.C. 9902(2).
5 For purposes of this paragraph (4), at-risk children are
6 those who because of their home and community environment
7 are subject to such language, cultural, economic and like
8 disadvantages to cause them to have been determined as a
9 result of screening procedures to be at risk of academic
10 failure. Through June 30, 2026, such screening procedures
11 shall be based on criteria established by the State Board
12 of Education. On and after July 1, 2026, such screening
13 procedures shall be based on criteria established by the
14 Department of Early Childhood. Except as otherwise
15 provided in this paragraph (4), grantees under the program
16 must enter into a memorandum of understanding with the
17 appropriate local Head Start agency. This memorandum must
18 be entered into no later than 3 months after the award of a
19 grantee's grant under the program and must address
20 collaboration between the grantee's program and the local
21 Head Start agency on certain issues, which shall include
22 without limitation the following:

23 (A) educational activities, curricular objectives,
24 and instruction;

25 (B) public information dissemination and access to
26 programs for families contacting programs;

1 (C) service areas;

2 (D) selection priorities for eligible children to
3 be served by programs;

4 (E) maximizing the impact of federal and State
5 funding to benefit young children;

6 (F) staff training, including opportunities for
7 joint staff training;

8 (G) technical assistance;

9 (H) communication and parent outreach for smooth
10 transitions to kindergarten;

11 (I) provision and use of facilities,
12 transportation, and other program elements;

13 (J) facilitating each program's fulfillment of its
14 statutory and regulatory requirements;

15 (K) improving local planning and collaboration;
16 and

17 (L) providing comprehensive services for the
18 neediest Illinois children and families. Through June
19 30, 2026, if the appropriate local Head Start agency
20 is unable or unwilling to enter into a memorandum of
21 understanding as required under this paragraph (4),
22 the memorandum of understanding requirement shall not
23 apply and the grantee under the program must notify
24 the State Board of Education in writing of the Head
25 Start agency's inability or unwillingness. Through
26 June 30, 2026, the State Board of Education shall

1 compile all such written notices and make them
2 available to the public. On and after July 1, 2026, if
3 the appropriate local Head Start agency is unable or
4 unwilling to enter into a memorandum of understanding
5 as required under this paragraph (4), the memorandum
6 of understanding requirement shall not apply and the
7 grantee under the program must notify the Department
8 of Early Childhood in writing of the Head Start
9 agency's inability or unwillingness. The Department of
10 Early Childhood shall compile all such written notices
11 and make them available to the public.

12 (5) Through June 30, 2026, the State Board of
13 Education shall develop and provide evaluation tools,
14 including tests, that school districts and other eligible
15 entities may use to evaluate children for school readiness
16 prior to age 5. The State Board of Education shall require
17 school districts and other eligible entities to obtain
18 consent from the parents or guardians of children before
19 any evaluations are conducted. The State Board of
20 Education shall encourage local school districts and other
21 eligible entities to evaluate the population of preschool
22 children in their communities and provide preschool
23 programs, pursuant to this subsection, where appropriate.

24 (5.1) On and after July 1, 2026, the Department of
25 Early Childhood shall develop and provide evaluation
26 tools, including tests, that school districts and other

1 eligible entities may use to evaluate children for school
2 readiness prior to age 5. The Department of Early
3 Childhood shall require school districts and other
4 eligible entities to obtain consent from the parents or
5 guardians of children before any evaluations are
6 conducted. The Department of Early Childhood shall
7 encourage local school districts and other eligible
8 entities to evaluate the population of preschool children
9 in their communities and provide preschool programs,
10 pursuant to this subsection, where appropriate.

11 (6) Through June 30, 2026, the State Board of
12 Education shall report to the General Assembly by November
13 1, 2018 and every 2 years thereafter on the results and
14 progress of students who were enrolled in preschool
15 educational programs, including an assessment of which
16 programs have been most successful in promoting academic
17 excellence and alleviating academic failure. Through June
18 30, 2026, the State Board of Education shall assess the
19 academic progress of all students who have been enrolled
20 in preschool educational programs. Through Fiscal Year
21 2026, on or before November 1 of each fiscal year in which
22 the General Assembly provides funding for new programs
23 under paragraph (4) of this Section, the State Board of
24 Education shall report to the General Assembly on what
25 percentage of new funding was provided to programs serving
26 primarily at-risk children, what percentage of new funding

1 was provided to programs serving primarily children with a
2 family income of less than 4 times the federal poverty
3 level, and what percentage of new funding was provided to
4 other programs.

5 (6.1) On and after July 1, 2026, the Department of
6 Early Childhood shall report to the General Assembly by
7 November 1, 2026 and every 2 years thereafter on the
8 results and progress of students who were enrolled in
9 preschool educational programs, including an assessment of
10 which programs have been most successful in promoting
11 academic excellence and alleviating academic failure. On
12 and after July 1, 2026, the Department of Early Childhood
13 shall assess the academic progress of all students who
14 have been enrolled in preschool educational programs.
15 Beginning in Fiscal Year 2027, on or before November 1 of
16 each fiscal year in which the General Assembly provides
17 funding for new programs under paragraph (4) of this
18 Section, the Department of Early Childhood shall report to
19 the General Assembly on what percentage of new funding was
20 provided to programs serving primarily at-risk children,
21 what percentage of new funding was provided to programs
22 serving primarily children with a family income of less
23 than 4 times the federal poverty level, and what
24 percentage of new funding was provided to other programs.

25 (7) Due to evidence that expulsion practices in the
26 preschool years are linked to poor child outcomes and are

1 employed inconsistently across racial and gender groups,
2 early childhood programs receiving State funds under this
3 subsection (a) shall prohibit expulsions. Planned
4 transitions to settings that are able to better meet a
5 child's needs are not considered expulsion under this
6 paragraph (7).

7 (A) When persistent and serious challenging
8 behaviors emerge, the early childhood program shall
9 document steps taken to ensure that the child can
10 participate safely in the program; including
11 observations of initial and ongoing challenging
12 behaviors, strategies for remediation and intervention
13 plans to address the behaviors, and communication with
14 the parent or legal guardian, including participation
15 of the parent or legal guardian in planning and
16 decision-making.

17 (B) The early childhood program shall, with
18 parental or legal guardian consent as required, use a
19 range of community resources, if available and deemed
20 necessary, including, but not limited to,
21 developmental screenings, referrals to programs and
22 services administered by a local educational agency or
23 early intervention agency under Parts B and C of the
24 federal Individual with Disabilities Education Act,
25 and consultation with infant and early childhood
26 mental health consultants and the child's health care

1 provider. The program shall document attempts to
2 engage these resources, including parent or legal
3 guardian participation and consent attempted and
4 obtained. Communication with the parent or legal
5 guardian shall take place in a culturally and
6 linguistically competent manner.

7 (C) If there is documented evidence that all
8 available interventions and supports recommended by a
9 qualified professional have been exhausted and the
10 program determines in its professional judgment that
11 transitioning a child to another program is necessary
12 for the well-being of the child or his or her peers and
13 staff, with parent or legal guardian permission, both
14 the current and pending programs shall create a
15 transition plan designed to ensure continuity of
16 services and the comprehensive development of the
17 child. Communication with families shall occur in a
18 culturally and linguistically competent manner.

19 (D) Nothing in this paragraph (7) shall preclude a
20 parent's or legal guardian's right to voluntarily
21 withdraw his or her child from an early childhood
22 program. Early childhood programs shall request and
23 keep on file, when received, a written statement from
24 the parent or legal guardian stating the reason for
25 his or her decision to withdraw his or her child.

26 (E) In the case of the determination of a serious

1 safety threat to a child or others or in the case of
2 behaviors listed in subsection (d) of Section 10-22.6
3 of the School Code, the temporary removal of a child
4 from attendance in group settings may be used.
5 Temporary removal of a child from attendance in a
6 group setting shall trigger the process detailed in
7 subparagraphs (A), (B), and (C) of this paragraph (7),
8 with the child placed back in a group setting as
9 quickly as possible.

10 (F) Early childhood programs may use and the
11 Department of Early Childhood, State Board of
12 Education, the Department of Human Services, and the
13 Department of Children and Family Services shall
14 recommend training, technical support, and
15 professional development resources to improve the
16 ability of teachers, administrators, program
17 directors, and other staff to promote social-emotional
18 development and behavioral health, to address
19 challenging behaviors, and to understand trauma and
20 trauma-informed care, cultural competence, family
21 engagement with diverse populations, the impact of
22 implicit bias on adult behavior, and the use of
23 reflective practice techniques. Support shall include
24 the availability of resources to contract with infant
25 and early childhood mental health consultants.

26 (G) Through June 30, 2026, early childhood

1 programs shall annually report to the State Board of
2 Education, and, beginning in Fiscal Year 2020, the
3 State Board of Education shall make available on a
4 biennial basis, in an existing report, all of the
5 following data for children from birth to age 5 who are
6 served by the program:

7 (i) Total number served over the course of the
8 program year and the total number of children who
9 left the program during the program year.

10 (ii) Number of planned transitions to another
11 program due to children's behavior, by children's
12 race, gender, disability, language, class/group
13 size, teacher-child ratio, and length of program
14 day.

15 (iii) Number of temporary removals of a child
16 from attendance in group settings due to a serious
17 safety threat under subparagraph (E) of this
18 paragraph (7), by children's race, gender,
19 disability, language, class/group size,
20 teacher-child ratio, and length of program day.

21 (iv) Hours of infant and early childhood
22 mental health consultant contact with program
23 leaders, staff, and families over the program
24 year.

25 (G-5) On and after July 1, 2026, early childhood
26 programs shall annually report to the Department of

1 Early Childhood, and beginning in Fiscal Year 2028,
2 the Department of Early Childhood shall make available
3 on a biennial basis, in a report, all of the following
4 data for children from birth to age 5 who are served by
5 the program:

6 (i) Total number served over the course of the
7 program year and the total number of children who
8 left the program during the program year.

9 (ii) Number of planned transitions to another
10 program due to children's behavior, by children's
11 race, gender, disability, language, class/group
12 size, teacher-child ratio, and length of program
13 day.

14 (iii) Number of temporary removals of a child
15 from attendance in group settings due to a serious
16 safety threat under subparagraph (E) of this
17 paragraph (7), by children's race, gender,
18 disability, language, class/group size,
19 teacher-child ratio, and length of program day.

20 (iv) Hours of infant and early childhood
21 mental health consultant contact with program
22 leaders, staff, and families over the program
23 year.

24 (H) Changes to services for children with an
25 individualized education program or individual family
26 service plan shall be construed in a manner consistent

1 with the federal Individuals with Disabilities
2 Education Act.

3 The Department of Early Childhood, in consultation
4 with the Department of Children and Family Services, shall
5 adopt rules to administer this paragraph (7).

6 (8) Due to evidence that suspension practices in the
7 preschool years are linked to poor child outcomes and are
8 employed inconsistently across racial and gender groups,
9 early childhood programs that receive State funds under
10 this subsection (a) shall restrict suspensions as provided
11 in this paragraph (8). Planned transitions to settings
12 that are able to better meet a child's needs are not a
13 considered suspension for purposes of this paragraph (8).
14 The decision to suspend a student in preschool for 4 or
15 more days may be made only by the superintendent of the
16 school district, the director of an early childhood
17 program, or and individual with comparable supervisory
18 authority, and the length of the suspension of a student
19 in preschool may not exceed the number of days required by
20 the school district or early childhood program to develop
21 and implement a behavior intervention plan or safety plan.

22 (b) Notwithstanding any other provisions of this Section,
23 grantees may serve children ages 0 to 12 of essential workers
24 if the Governor has declared a disaster due to a public health
25 emergency pursuant to Section 7 of the Illinois Emergency
26 Management Agency Act. The Department of Early Childhood may

1 adopt rules to administer this subsection.

2 (Source: P.A. 103-594, eff. 6-25-24.)

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