

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections  
5 2-3.71, 2-3.162, 10-22.6, 13B-20.25, 13B-20.30, and 13B-25.5  
6 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  
17 education component. A public school district which  
18 receives grants under this subsection may subcontract with  
19 other entities that are eligible to conduct a preschool  
20 educational program. These grants must be used to  
21 supplement, not supplant, funds received from any other  
22 source.

23 (1.5) On and after July 1, 2026, the Department of

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

11 (2) (Blank).

12 (3) Except as otherwise provided under this subsection  
13 (a), any teacher of preschool children in the program  
14 authorized by this subsection shall hold a Professional  
15 Educator License with an early childhood education  
16 endorsement.

17 (3.5) Beginning with the 2018-2019 school year and  
18 until the 2028-2029 school year, an individual may teach  
19 preschool children in an early childhood program under  
20 this Section if he or she holds a Professional Educator  
21 License with an early childhood education endorsement or  
22 with short-term approval for early childhood education or  
23 he or she pursues a Professional Educator License and  
24 holds any of the following:

25 (A) An ECE Credential Level of 5 awarded by the  
26 Department of Human Services under the Gateways to

1           Opportunity Program developed under Section 10-70 of  
2           the Department of Human Services Act.

3           (B) An Educator License with Stipulations with a  
4           transitional bilingual educator endorsement and he or  
5           she has (i) passed an early childhood education  
6           content test or (ii) completed no less than 9 semester  
7           hours of postsecondary coursework in the area of early  
8           childhood education.

9           (4) (Blank).

10          (4.5) Through June 30, 2026, the State Board of  
11          Education shall provide the primary source of funding  
12          through appropriations for the program. On and after July  
13          1, 2026, the Department of Early Childhood shall provide  
14          the primary source of funding through appropriations for  
15          the program. Such funds shall be distributed to achieve a  
16          goal of "Preschool for All Children" for the benefit of  
17          all children whose families choose to participate in the  
18          program. Based on available appropriations, newly funded  
19          programs shall be selected through a process giving first  
20          priority to qualified programs serving primarily at-risk  
21          children and second priority to qualified programs serving  
22          primarily children with a family income of less than 4  
23          times the poverty guidelines updated periodically in the  
24          Federal Register by the U.S. Department of Health and  
25          Human Services under the authority of 42 U.S.C. 9902(2).  
26          For purposes of this paragraph (4.5), at-risk children are

1 those who because of their home and community environment  
2 are subject to such language, cultural, economic and like  
3 disadvantages to cause them to have been determined as a  
4 result of screening procedures to be at risk of academic  
5 failure. Through June 30, 2026, such screening procedures  
6 shall be based on criteria established by the State Board  
7 of Education. On and after July 1, 2026, such screening  
8 procedures shall be based on criteria established by the  
9 Department of Early Childhood.

10 Except as otherwise provided in this paragraph (4.5),  
11 grantees under the program must enter into a memorandum of  
12 understanding with the appropriate local Head Start  
13 agency. This memorandum must be entered into no later than  
14 3 months after the award of a grantee's grant under the  
15 program, except that, in the case of the 2009-2010 program  
16 year, the memorandum must be entered into no later than  
17 the deadline set by the State Board of Education for  
18 applications to participate in the program in fiscal year  
19 2011, and must address collaboration between the grantee's  
20 program and the local Head Start agency on certain issues,  
21 which shall include without limitation the following:

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

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

26 (C) service areas;

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

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

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

7 (G) technical assistance;

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

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

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

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

16 (L) providing comprehensive services for the  
17 neediest Illinois children and families.

18 Through June 30, 2026, if the appropriate local Head Start  
19 agency is unable or unwilling to enter into a memorandum  
20 of understanding as required under this paragraph (4.5),  
21 the memorandum of understanding requirement shall not  
22 apply and the grantee under the program must notify the  
23 State Board of Education in writing of the Head Start  
24 agency's inability or unwillingness. The State Board of  
25 Education shall compile all such written notices and make  
26 them available to the public. On and after July 1, 2026, if

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

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

22 (5.1) On and after July 1, 2026, the Department of  
23 Early Childhood shall develop and provide evaluation  
24 tools, including tests, that school districts and other  
25 eligible entities may use to evaluate children for school  
26 readiness prior to age 5. The Department of Early

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

9 (6) Through June 30, 2026, the State Board of  
10 Education shall report to the General Assembly by November  
11 1, 2018 and every 2 years thereafter on the results and  
12 progress of students who were enrolled in preschool  
13 educational programs, including an assessment of which  
14 programs have been most successful in promoting academic  
15 excellence and alleviating academic failure. Through June  
16 30, 2026, the State Board of Education shall assess the  
17 academic progress of all students who have been enrolled  
18 in preschool educational programs.

19 Through fiscal year 2026, on or before November 1 of  
20 each fiscal year in which the General Assembly provides  
21 funding for new programs under paragraph (4.5) of this  
22 Section, the State Board of Education shall report to the  
23 General Assembly on what percentage of new funding was  
24 provided to programs serving primarily at-risk children,  
25 what percentage of new funding was provided to programs  
26 serving primarily children with a family income of less

1 than 4 times the federal poverty level, and what  
2 percentage of new funding was provided to other programs.

3 (6.1) On and after July 1, 2026, the Department of  
4 Early Childhood shall report to the General Assembly by  
5 November 1, 2026 and every 2 years thereafter on the  
6 results and progress of students who were enrolled in  
7 preschool educational programs, including an assessment of  
8 which programs have been most successful in promoting  
9 academic excellence and alleviating academic failure. On  
10 and after July 1, 2026, the Department of Early Childhood  
11 shall assess the academic progress of all students who  
12 have been enrolled in preschool educational programs.  
13 Beginning in fiscal year 2027, on or before November 1 of  
14 each fiscal year in which the General Assembly provides  
15 funding for new programs under paragraph (4.5) of this  
16 Section, the Department of Early Childhood shall report to  
17 the General Assembly on what percentage of new funding was  
18 provided to programs serving primarily at-risk children,  
19 what percentage of new funding was provided to programs  
20 serving primarily children with a family income of less  
21 than 4 times the federal poverty level, and what  
22 percentage of new funding was provided to other programs.

23 (7) Due to evidence that expulsion practices in the  
24 preschool years are linked to poor child outcomes and are  
25 employed inconsistently across racial and gender groups,  
26 early childhood programs receiving State funds under this

1 subsection (a) shall prohibit expulsions. Planned  
2 transitions to settings that are able to better meet a  
3 child's needs are not considered expulsion under this  
4 paragraph (7).

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

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

1 guardian participation and consent attempted and  
2 obtained. Communication with the parent or legal  
3 guardian shall take place in a culturally and  
4 linguistically competent manner.

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

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

24 (E) In the case of the determination of a serious  
25 safety threat to a child or others or in the case of  
26 behaviors listed in subsection (d) of Section 10-22.6

1 of this Code, the temporary removal of a child from  
2 attendance in group settings may be used. Temporary  
3 removal of a child from attendance in a group setting  
4 shall trigger the process detailed in subparagraphs  
5 (A), (B), and (C) of this paragraph (7), with the child  
6 placed back in a group setting as quickly as possible.

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

23 (G) Through June 30, 2026, early childhood  
24 programs shall annually report to the State Board of  
25 Education, and, beginning in fiscal year 2020, the  
26 State Board of Education shall make available on a

1 biennial basis, in an existing report, all of the  
2 following data for children from birth to age 5 who are  
3 served by the program:

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

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

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

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

22 (G-5) On and after July 1, 2026, early childhood  
23 programs shall annually report to the Department of  
24 Early Childhood, and beginning in fiscal year 2028,  
25 the Department of Early Childhood shall make available  
26 on a biennial basis, in a report, all of the following

1 data for children from birth to age 5 who are served by  
2 the program:

3 (i) Total number served over the course of the  
4 program year and the total number of children who  
5 left the program during the program year.

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

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

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

21 (H) Changes to services for children with an  
22 individualized education program or individual family  
23 service plan shall be construed in a manner consistent  
24 with the federal Individuals with Disabilities  
25 Education Act.

26 The Department of Early Childhood, in consultation

1 with the Department of Children and Family Services, shall  
2 adopt rules to administer this paragraph (7).

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

19 (b) (Blank).

20 (c) Notwithstanding any other provisions of this Section,  
21 grantees may serve children ages 0 to 12 of essential workers  
22 if the Governor has declared a disaster due to a public health  
23 emergency pursuant to Section 7 of the Illinois Emergency  
24 Management Agency Act. For the purposes of this subsection,  
25 essential workers include those outlined in Executive Order  
26 20-8 and school employees. The State Board of Education shall

1 adopt rules to administer this subsection.

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

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

6 (105 ILCS 5/2-3.162)

7 Sec. 2-3.162. Student discipline report; school discipline  
8 improvement plan.

9 (a) On or before October 31, 2015 and on or before October  
10 31 of each subsequent year, the State Board of Education,  
11 through the State Superintendent of Education, shall prepare a  
12 report on student discipline in all school districts in this  
13 State, including State-authorized charter schools. This report  
14 shall include data from all public schools within school  
15 districts, including district-authorized charter schools. This  
16 report must be posted on the Internet website of the State  
17 Board of Education. The report shall include data on the  
18 issuance of out-of-school suspensions, expulsions, and  
19 removals to alternative settings in lieu of another  
20 disciplinary action, disaggregated by race and ethnicity,  
21 gender, age, grade level, whether a student is an English  
22 learner, incident type, and discipline duration. On or before  
23 July 31, 2026, and on or before each July 31 thereafter, each  
24 school district in the State, including State-authorized  
25 charter schools shall report this data to the State Board of

1 Education in the form and manner prescribed by the State Board  
2 of Education.

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

7 (1) Total number of out-of-school suspensions divided  
8 by the total district enrollment by the last school day in  
9 September for the year in which the data was collected,  
10 multiplied by 100.

11 (2) Total number of out-of-school expulsions divided  
12 by the total district enrollment by the last school day in  
13 September for the year in which the data was collected,  
14 multiplied by 100.

15 (3) Racial disproportionality, defined as the  
16 overrepresentation of students of color or white students  
17 in comparison to the total number of students of color or  
18 white students on October 1st of the school year in which  
19 data are collected, with respect to the use of  
20 out-of-school suspensions and expulsions, which must be  
21 calculated using the same method as the U.S. Department of  
22 Education's Office for Civil Rights uses.

23 The analysis must be based on data collected over 3  
24 consecutive school years, beginning with the 2014-2015 school  
25 year.

26 Beginning with the 2017-2018 school year, the State Board

1 of Education shall require each of the school districts that  
2 are identified in the top 20% of any of the metrics described  
3 in this subsection (b) for 3 consecutive years to submit a plan  
4 identifying the strategies the school district will implement  
5 to reduce the use of exclusionary disciplinary practices or  
6 racial disproportionality or both, if applicable. School  
7 districts that no longer meet the criteria described in any of  
8 the metrics described in this subsection (b) for 3 consecutive  
9 years shall no longer be required to submit a plan.

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

12 The calculation of the top 20% of any of the metrics  
13 described in this subsection (b) shall exclude all school  
14 districts, State-authorized charter schools, and special  
15 charter districts that issued fewer than a total of 10  
16 out-of-school suspensions or expulsions, whichever is  
17 applicable, during the school year. The calculation of the top  
18 20% of the metric described in subdivision (3) of this  
19 subsection (b) shall exclude all school districts with an  
20 enrollment of fewer than 50 white students or fewer than 50  
21 students of color.

22 The plan must be approved at a public school board meeting  
23 and posted on the school district's Internet website. Within  
24 one year after being identified, the school district shall  
25 submit to the State Board of Education and post on the  
26 district's Internet website a progress report describing the

1 implementation of the plan and the results achieved.

2 (Source: P.A. 99-30, eff. 7-10-15; 99-78, eff. 7-20-15;  
3 100-863, eff. 8-14-18.)

4 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

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

6 Sec. 10-22.6. Suspension or expulsion of students; school  
7 searches.

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

1 is in the best interest of the school. The expulsion decision  
2 shall also include a rationale as to the specific duration of  
3 the expulsion. An expelled student may be immediately  
4 transferred to an alternative program in the manner provided  
5 in Article 13A or 13B of this Code. A student must not be  
6 denied transfer because of the expulsion, except in cases in  
7 which such transfer is deemed to cause a threat to the safety  
8 of students or staff in the alternative program.

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

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

1 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 guardian,  
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 guardian 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 federal law or this  
5 Code, school boards may not institute zero-tolerance policies  
6 by which school administrators are required to suspend or  
7 expel students for particular behaviors.

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

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

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

17 (b-25) Students who are suspended out-of-school for longer  
18 than 3 school days shall be provided appropriate and available  
19 support services during the period of their suspension. For  
20 purposes of this subsection (b-25), "appropriate and available  
21 support services" shall be determined by school authorities.  
22 Within the suspension decision described in subsection (b) of  
23 this Section, it shall be documented whether such services are  
24 to be provided or whether it was determined that there are no  
25 such appropriate and available services.

26 A school district may refer students who are expelled to

1 appropriate and available support services.

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

11 (b-30) A school district shall create a policy by which  
12 suspended students, including those students suspended from  
13 the school bus who do not have alternate transportation to  
14 school, shall have the opportunity to make up work for  
15 equivalent academic credit. It shall be the responsibility of  
16 a student's parent or guardian to notify school officials that  
17 a student suspended from the school bus does not have  
18 alternate transportation to school.

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 all school  
25 personnel, school board members, and school resource officers,  
26 on the requirements of this Section and Section 10-20.14, the

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

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

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

25 (2) A knife, brass knuckles or other knuckle weapon  
26 regardless of its composition, a billy club, or any other

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

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

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

1 the safety and security of the threatened individual because  
2 of the individual's duties or employment status or status as a  
3 student inside the school.

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

26 (f) Suspension or expulsion may include suspension or

1 expulsion from school and all school activities and a  
2 prohibition from being present on school grounds.

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

12 (h) School officials shall not advise or encourage  
13 students to drop out voluntarily due to behavioral or academic  
14 difficulties.

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

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

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

1 (1) An in-school suspension program provided by a school  
2 district for any students in kindergarten through grade 12 may  
3 focus on promoting non-violent conflict resolution and  
4 positive interaction with other students and school personnel.  
5 A school district may employ a school social worker or a  
6 licensed mental health professional to oversee an in-school  
7 suspension program in kindergarten through grade 12.

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

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

11 Sec. 10-22.6. Suspension or expulsion of students; school  
12 searches.

13 (a) To expel students in grades 3 through 12 or, if  
14 required by the federal Gun-Free Schools Act, students in  
15 kindergarten through grade 2, who are guilty of gross  
16 disobedience or misconduct, including gross disobedience or  
17 misconduct perpetrated by electronic means, pursuant to  
18 subsection (b-20) of this Section, and no action shall lie  
19 against them for such expulsion. Beginning July 1, 2026,  
20 unless otherwise required by the federal Gun-Free Schools Act,  
21 in no case may a school board expel a student in kindergarten  
22 through grade 2. Subject to this grade-level restriction,  
23 expulsion ~~Expulsion~~ shall take place only after the parents or  
24 guardians have been requested to appear at a meeting of the  
25 board, or with a hearing officer appointed by it, to discuss

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

21 (b) 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  
24 students guilty of gross disobedience or misconduct, or to  
25 suspend students guilty of gross disobedience or misconduct on  
26 the school bus from riding the school bus, pursuant to

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

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

1 suspension with the board or its hearing officer. If a hearing  
2 officer is appointed by the board, he shall report to the board  
3 a written summary of the evidence heard at the meeting. After  
4 its hearing or upon receipt of the written report of its  
5 hearing officer, the board may take such action as it finds  
6 appropriate. If a student is suspended pursuant to this  
7 subsection (b), the board shall, in the written suspension  
8 decision, detail the specific act of gross disobedience or  
9 misconduct resulting in the decision to suspend. The  
10 suspension decision shall also include a rationale as to the  
11 specific duration of the suspension.

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

23 (b-10) Unless otherwise required by the federal Gun-Free  
24 Schools Act ~~law or this Code~~, school boards may not institute  
25 zero-tolerance policies by which school administrators are  
26 required to suspend or expel students for particular

1 behaviors.

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

12 (b-20) Unless otherwise required by this Code,  
13 out-of-school suspensions of longer than 3 days, expulsions  
14 for students in grades 3 through 12 (or, if required by the  
15 federal Gun-Free Schools Act, expulsions for students in  
16 kindergarten through grade 2), and disciplinary removals to  
17 alternative schools for students who meet the grade-level  
18 restrictions set forth in Articles 13A and 13B may be used only  
19 if other appropriate and available behavioral and disciplinary  
20 interventions have been exhausted and the student's continuing  
21 presence in school would either (i) pose a threat to the safety  
22 of other students, staff, or members of the school community  
23 or (ii) substantially disrupt, impede, or interfere with the  
24 operation of the school. For purposes of this subsection  
25 (b-20), "threat to the safety of other students, staff, or  
26 members of the school community" and "substantially disrupt,

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

15 (b-25) Students who are suspended out-of-school for longer  
16 than 3 school days shall be provided appropriate and available  
17 support services during the period of their suspension. For  
18 purposes of this subsection (b-25), "appropriate and available  
19 support services" shall be determined by school authorities.  
20 Within the suspension decision described in subsection (b) of  
21 this Section, it shall be documented whether such services are  
22 to be provided or whether it was determined that there are no  
23 such appropriate and available services.

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

26 A school district shall create a policy to facilitate the

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

9 (b-30) A school district shall create a policy by which  
10 suspended students, including those students suspended from  
11 the school bus who do not have alternate transportation to  
12 school, shall have the opportunity to make up work for  
13 equivalent academic credit. It shall be the responsibility of  
14 a student's parents or guardians to notify school officials  
15 that a student suspended from the school bus does not have  
16 alternate transportation to school.

17 (b-35) In all suspension review hearings conducted under  
18 subsection (b) or expulsion hearings conducted under  
19 subsection (a), a student may disclose any factor to be  
20 considered in mitigation, including his or her status as a  
21 parent, expectant parent, or victim of domestic or sexual  
22 violence, as defined in Article 26A. A representative of the  
23 parent's or guardian's choice, or of the student's choice if  
24 emancipated, must be permitted to represent the student  
25 throughout the proceedings and to address the school board or  
26 its appointed hearing officer. With the approval of the

1 student's parent or guardian, or of the student if  
2 emancipated, a support person must be permitted to accompany  
3 the student to any disciplinary hearings or proceedings. The  
4 representative or support person must comply with any rules of  
5 the school district's hearing process. If the representative  
6 or support person violates the rules or engages in behavior or  
7 advocacy that harasses, abuses, or intimidates either party, a  
8 witness, or anyone else in attendance at the hearing, the  
9 representative or support person may be prohibited from  
10 further participation in the hearing or proceeding. A  
11 suspension or expulsion proceeding under this subsection  
12 (b-35) must be conducted independently from any ongoing  
13 criminal investigation or proceeding, and an absence of  
14 pending or possible criminal charges, criminal investigations,  
15 or proceedings may not be a factor in school disciplinary  
16 decisions.

17 (b-40) During a suspension review hearing conducted under  
18 subsection (b) or an expulsion hearing conducted under  
19 subsection (a) that involves allegations of sexual violence by  
20 the student who is subject to discipline, neither the student  
21 nor his or her representative shall directly question nor have  
22 direct contact with the alleged victim. The student who is  
23 subject to discipline or his or her representative may, at the  
24 discretion and direction of the school board or its appointed  
25 hearing officer, suggest questions to be posed by the school  
26 board or its appointed hearing officer to the alleged victim.

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

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

17 (d) The board may expel a student in grades 3 through 12  
18 or, if required by the federal Gun-Free Schools Act, a student  
19 in kindergarten through grade 2, for a definite period of time  
20 not to exceed 2 calendar years, as determined on a  
21 case-by-case basis. A student who is determined to have  
22 brought or possessed one of the following objects to or at  
23 school, any school-sponsored activity or event, or any  
24 activity or event that bears a reasonable relationship to  
25 school shall be expelled for a period of not less than one  
26 year:

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

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

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

26          (d-5) For a student in grades 3 through 12, the ~~The~~ board

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

22 (e) To maintain order and security in the schools, school  
23 authorities may inspect and search places and areas such as  
24 lockers, desks, parking lots, and other school property and  
25 equipment owned or controlled by the school, as well as  
26 personal effects left in those places and areas by students,

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

18 (f) Suspension or expulsion may include suspension or  
19 expulsion from school and all school activities and a  
20 prohibition from being present on school grounds.

21 (g) A school district may adopt a policy providing that if  
22 a student is suspended or expelled for any reason from any  
23 public or private school in this or any other state, the  
24 student must complete the entire term of the suspension or  
25 expulsion in an alternative school program under Article 13A  
26 of this Code or an alternative learning opportunities program

1 under Article 13B of this Code before being admitted into the  
2 school district if there is no threat to the safety of students  
3 or staff in the alternative program. A school district that  
4 adopts a policy under this subsection (g) must include a  
5 provision allowing for consideration of any mitigating  
6 factors, including, but not limited to, a student's status as  
7 a parent, expectant parent, or victim of domestic or sexual  
8 violence, as defined in Article 26A.

9 (h) School officials shall not advise or encourage  
10 students to drop out voluntarily due to behavioral or academic  
11 difficulties.

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

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

20 (k) Through June 30, 2026, the expulsion of students  
21 enrolled in programs funded under Section 1C-2 of this Code is  
22 subject to the requirements under paragraph (7) of subsection  
23 (a) of Section 2-3.71 of this Code. The suspension of students  
24 enrolled in programs funded under Section 1C-2 of this Code is  
25 subject to the requirements of paragraph (8) of subsection (a)  
26 of Section 2-3.71 of this Code.

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

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

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

20 (105 ILCS 5/13B-20.25)

21 Sec. 13B-20.25. Eligible students. Students in  
22 kindergarten ~~grades 4~~ through grade 12 who meet enrollment  
23 criteria established by the school district and who meet the  
24 definition of "student at risk of academic failure" are  
25 eligible to participate in an alternative learning

1 opportunities program funded under this Article.  
2 Notwithstanding any other provision of law to the contrary,  
3 enrollment in a charter alternative learning opportunities  
4 program shall be open to any student ~~pupil~~ who has been  
5 expelled or suspended ~~for more than 20 days~~ under Section  
6 10-22.6 or 34-19 of this Code. All rights granted under this  
7 Article to a student's parent or guardian become exclusively  
8 those of the student upon the student's 18th birthday.  
9 (Source: P.A. 97-495, eff. 1-1-12.)

10 (105 ILCS 5/13B-20.30)

11 Sec. 13B-20.30. Location of program. A school district  
12 must consider offering an alternative learning opportunities  
13 program on-site in the regular school. An alternative learning  
14 opportunities program may be provided at facilities separate  
15 from the regular school or in classrooms elsewhere on school  
16 premises; however, in no instance shall a student in  
17 kindergarten through grade 5 who is enrolled in an alternative  
18 learning opportunities program participate in that program or  
19 receive services outside of the student's home district. A  
20 school district is encouraged to ensure that educational  
21 supports and other services are provided to the student as  
22 part of the student's activities in the classroom to which the  
23 student is originally assigned, unless the nature of the  
24 services dictate otherwise.

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

1 (105 ILCS 5/13B-25.5)

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

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

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

15 (325 ILCS 3/15-30)

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

17 (a) Preschool program.

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

23 (2) On and after July 1, 2026, the Department of Early

1 Childhood shall implement and administer a grant program  
2 for school districts and other eligible entities, as  
3 defined by the Department, to conduct voluntary preschool  
4 educational programs for children ages 3 to 5 which  
5 include a parent education component. A public school  
6 district which receives grants under this subsection may  
7 subcontract with other entities that are eligible to  
8 conduct a preschool educational program. These grants must  
9 be used to supplement, not supplant, funds received from  
10 any other source.

11 (3) Except as otherwise provided under this subsection  
12 (a), any teacher of preschool children in the program  
13 authorized by this subsection shall hold a Professional  
14 Educator License with an early childhood education  
15 endorsement.

16 (3.5) Beginning with the 2018-2019 school year and  
17 until the 2028-2029 school year, an individual may teach  
18 preschool children in an early childhood program under  
19 this Section if he or she holds a Professional Educator  
20 License with an early childhood education endorsement or  
21 with short-term approval for early childhood education or  
22 he or she pursues a Professional Educator License and  
23 holds any of the following:

24 (A) An ECE Credential Level of 5 awarded by the  
25 Department of Human Services under the Gateways to  
26 Opportunity Program developed under Section 10-70 of

1 the Department of Human Services Act.

2 (B) An Educator License with Stipulations with a  
3 transitional bilingual educator endorsement and he or  
4 she has (i) passed an early childhood education  
5 content test or (ii) completed no less than 9 semester  
6 hours of postsecondary coursework in the area of early  
7 childhood education.

8 (4) Through June 30, 2026, the State Board of  
9 Education shall provide the primary source of funding  
10 through appropriations for the program. On and after July  
11 1, 2026, the Department of Early Childhood shall provide  
12 the primary source of funding through appropriations for  
13 the program. Such funds shall be distributed to achieve a  
14 goal of "Preschool for All Children" for the benefit of  
15 all children whose families choose to participate in the  
16 program. Based on available appropriations, newly funded  
17 programs shall be selected through a process giving first  
18 priority to qualified programs serving primarily at-risk  
19 children and second priority to qualified programs serving  
20 primarily children with a family income of less than 4  
21 times the poverty guidelines updated periodically in the  
22 Federal Register by the U.S. Department of Health and  
23 Human Services under the authority of 42 U.S.C. 9902(2).  
24 For purposes of this paragraph (4), at-risk children are  
25 those who because of their home and community environment  
26 are subject to such language, cultural, economic and like

1           disadvantages to cause them to have been determined as a  
2           result of screening procedures to be at risk of academic  
3           failure. Through June 30, 2026, such screening procedures  
4           shall be based on criteria established by the State Board  
5           of Education. On and after July 1, 2026, such screening  
6           procedures shall be based on criteria established by the  
7           Department of Early Childhood. Except as otherwise  
8           provided in this paragraph (4), grantees under the program  
9           must enter into a memorandum of understanding with the  
10          appropriate local Head Start agency. This memorandum must  
11          be entered into no later than 3 months after the award of a  
12          grantee's grant under the program and must address  
13          collaboration between the grantee's program and the local  
14          Head Start agency on certain issues, which shall include  
15          without limitation the following:

16                   (A) educational activities, curricular objectives,  
17                   and instruction;

18                   (B) public information dissemination and access to  
19                   programs for families contacting programs;

20                   (C) service areas;

21                   (D) selection priorities for eligible children to  
22                   be served by programs;

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

25                   (F) staff training, including opportunities for  
26                   joint staff training;

1 (G) technical assistance;

2 (H) communication and parent outreach for smooth  
3 transitions to kindergarten;

4 (I) provision and use of facilities,  
5 transportation, and other program elements;

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

8 (K) improving local planning and collaboration;  
9 and

10 (L) providing comprehensive services for the  
11 neediest Illinois children and families. Through June  
12 30, 2026, if the appropriate local Head Start agency  
13 is unable or unwilling to enter into a memorandum of  
14 understanding as required under this paragraph (4),  
15 the memorandum of understanding requirement shall not  
16 apply and the grantee under the program must notify  
17 the State Board of Education in writing of the Head  
18 Start agency's inability or unwillingness. Through  
19 June 30, 2026, the State Board of Education shall  
20 compile all such written notices and make them  
21 available to the public. On and after July 1, 2026, if  
22 the appropriate local Head Start agency is unable or  
23 unwilling to enter into a memorandum of understanding  
24 as required under this paragraph (4), the memorandum  
25 of understanding requirement shall not apply and the  
26 grantee under the program must notify the Department

1 of Early Childhood in writing of the Head Start  
2 agency's inability or unwillingness. The Department of  
3 Early Childhood shall compile all such written notices  
4 and make them available to the public.

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

17 (5.1) On and after July 1, 2026, the Department of  
18 Early Childhood shall develop and provide evaluation  
19 tools, including tests, that school districts and other  
20 eligible entities may use to evaluate children for school  
21 readiness prior to age 5. The Department of Early  
22 Childhood shall require school districts and other  
23 eligible entities to obtain consent from the parents or  
24 guardians of children before any evaluations are  
25 conducted. The Department of Early Childhood shall  
26 encourage local school districts and other eligible

1 entities to evaluate the population of preschool children  
2 in their communities and provide preschool programs,  
3 pursuant to this subsection, where appropriate.

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

24 (6.1) On and after July 1, 2026, the Department of  
25 Early Childhood shall report to the General Assembly by  
26 November 1, 2026 and every 2 years thereafter on the

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

18 (7) Due to evidence that expulsion practices in the  
19 preschool years are linked to poor child outcomes and are  
20 employed inconsistently across racial and gender groups,  
21 early childhood programs receiving State funds under this  
22 subsection (a) shall prohibit expulsions. Planned  
23 transitions to settings that are able to better meet a  
24 child's needs are not considered expulsion under this  
25 paragraph (7).

26 (A) When persistent and serious challenging

1 behaviors emerge, the early childhood program shall  
2 document steps taken to ensure that the child can  
3 participate safely in the program; including  
4 observations of initial and ongoing challenging  
5 behaviors, strategies for remediation and intervention  
6 plans to address the behaviors, and communication with  
7 the parent or legal guardian, including participation  
8 of the parent or legal guardian in planning and  
9 decision-making.

10 (B) The early childhood program shall, with  
11 parental or legal guardian consent as required, use a  
12 range of community resources, if available and deemed  
13 necessary, including, but not limited to,  
14 developmental screenings, referrals to programs and  
15 services administered by a local educational agency or  
16 early intervention agency under Parts B and C of the  
17 federal Individual with Disabilities Education Act,  
18 and consultation with infant and early childhood  
19 mental health consultants and the child's health care  
20 provider. The program shall document attempts to  
21 engage these resources, including parent or legal  
22 guardian participation and consent attempted and  
23 obtained. Communication with the parent or legal  
24 guardian shall take place in a culturally and  
25 linguistically competent manner.

26 (C) If there is documented evidence that all

1 available interventions and supports recommended by a  
2 qualified professional have been exhausted and the  
3 program determines in its professional judgment that  
4 transitioning a child to another program is necessary  
5 for the well-being of the child or his or her peers and  
6 staff, with parent or legal guardian permission, both  
7 the current and pending programs shall create a  
8 transition plan designed to ensure continuity of  
9 services and the comprehensive development of the  
10 child. Communication with families shall occur in a  
11 culturally and linguistically competent manner.

12 (D) Nothing in this paragraph (7) shall preclude a  
13 parent's or legal guardian's right to voluntarily  
14 withdraw his or her child from an early childhood  
15 program. Early childhood programs shall request and  
16 keep on file, when received, a written statement from  
17 the parent or legal guardian stating the reason for  
18 his or her decision to withdraw his or her child.

19 (E) In the case of the determination of a serious  
20 safety threat to a child or others or in the case of  
21 behaviors listed in subsection (d) of Section 10-22.6  
22 of the School Code, the temporary removal of a child  
23 from attendance in group settings may be used.  
24 Temporary removal of a child from attendance in a  
25 group setting shall trigger the process detailed in  
26 subparagraphs (A), (B), and (C) of this paragraph (7),

1 with the child placed back in a group setting as  
2 quickly as possible.

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

19 (G) Through June 30, 2026, early childhood  
20 programs shall annually report to the State Board of  
21 Education, and, beginning in Fiscal Year 2020, the  
22 State Board of Education shall make available on a  
23 biennial basis, in an existing report, all of the  
24 following data for children from birth to age 5 who are  
25 served by the program:

26 (i) Total number served over the course of the

1 program year and the total number of children who  
2 left the program during the program year.

3 (ii) Number of planned transitions to another  
4 program due to children's behavior, by children's  
5 race, gender, disability, language, class/group  
6 size, teacher-child ratio, and length of program  
7 day.

8 (iii) Number of temporary removals of a child  
9 from attendance in group settings due to a serious  
10 safety threat under subparagraph (E) of this  
11 paragraph (7), by children's race, gender,  
12 disability, language, class/group size,  
13 teacher-child ratio, and length of program day.

14 (iv) Hours of infant and early childhood  
15 mental health consultant contact with program  
16 leaders, staff, and families over the program  
17 year.

18 (G-5) On and after July 1, 2026, early childhood  
19 programs shall annually report to the Department of  
20 Early Childhood, and beginning in Fiscal Year 2028,  
21 the Department of Early Childhood shall make available  
22 on a biennial basis, in a report, all of the following  
23 data for children from birth to age 5 who are served by  
24 the program:

25 (i) Total number served over the course of the  
26 program year and the total number of children who

1 left the program during the program year.

2 (ii) Number of planned transitions to another  
3 program due to children's behavior, by children's  
4 race, gender, disability, language, class/group  
5 size, teacher-child ratio, and length of program  
6 day.

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

13 (iv) Hours of infant and early childhood  
14 mental health consultant contact with program  
15 leaders, staff, and families over the program  
16 year.

17 (H) Changes to services for children with an  
18 individualized education program or individual family  
19 service plan shall be construed in a manner consistent  
20 with the federal Individuals with Disabilities  
21 Education Act.

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

25 (8) Due to evidence that suspension 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 that receive State funds under  
3 this subsection (a) shall restrict suspensions as provided  
4 in this paragraph (8). Planned transitions to settings  
5 that are able to better meet a child's needs are not a  
6 considered suspension for purposes of this paragraph (8).  
7 The decision to suspend a student in preschool for 4 or  
8 more days may be made only by the superintendent of the  
9 school district, the director of an early childhood  
10 program, or and individual with comparable supervisory  
11 authority, and the length of the suspension of a student  
12 in preschool may not exceed the number of days required by  
13 the school district or early childhood program to develop  
14 and implement a behavior intervention plan or safety plan.

15 (b) Notwithstanding any other provisions of this Section,  
16 grantees may serve children ages 0 to 12 of essential workers  
17 if the Governor has declared a disaster due to a public health  
18 emergency pursuant to Section 7 of the Illinois Emergency  
19 Management Agency Act. The Department of Early Childhood may  
20 adopt rules to administer this subsection.

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

22 Section 95. No acceleration or delay. Where this Act makes  
23 changes in a statute that is represented in this Act by text  
24 that is not yet or no longer in effect (for example, a Section  
25 represented by multiple versions), the use of that text does

1 not accelerate or delay the taking effect of (i) the changes  
2 made by this Act or (ii) provisions derived from any other  
3 Public Act.