



## **FAQ – Student Expulsions Under the Illinois School Code (105 ILCS 5/10-22.6)**

### **What are some behaviors that can get my child expelled under the School Code?**

- The School Code provides that students may be expelled when they are found to be guilty of “gross disobedience or misconduct, including gross disobedience or misconduct perpetuated by electronic means[.]”
  - Illinois courts have generally found that local school boards have authority to determine the acts and/or omissions that constitute gross disobedience or misconduct for the purpose of student expulsion.
- Further, the School Code provides that students may be expelled for making internet threats that meet certain criteria.

### **How long can my child be expelled?**

- The School Code provides that a student may be expelled for a period not to exceed two calendar years.
- However, a one-year expulsion is mandatory for bringing a weapon (as further detailed in statute) to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school.
  - Note this period may be modified “by the superintendent, and the superintendent's determination may be modified by the board on a case-by-case basis.”

### **What must occur prior to my child being expelled?**

- Under the School Code, the following are to occur prior to student expulsion:
  - Other appropriate and available behavioral and disciplinary interventions have been exhausted.
  - Determination that a student’s continuing presence in school would either:
    - (i) Pose a threat to the safety of other students, staff, or members of the school community, or
    - (ii) Substantially disrupt, impede, or interfere with the operation of the school.
  - School officials have made all reasonable efforts to:
    - Resolve threats,
    - Address disruptions, and
    - Minimize the length of student exclusions to the greatest extent practicable.
  - Hold an expulsion hearing before the board (or hearing officer appointed by the board).

### **Where can I find out more about student expulsion?**

- The provision generally covering student expulsion may be found in [105 ILCS 5/10-22.6](#).
- Additionally, ISBE maintains a [resource](#) outlining/summarizing the various provisions regarding student expulsion on its [School Discipline webpage](#) (under the “Illinois Guidance and Resources” tab).
- For information regarding disciplining students with disabilities, reach out to ISBE’s Special Education Department at [ISBESpecED@isbe.net](mailto:ISBESpecED@isbe.net) or call 217-782-5589. Additionally, ISBE’s Special Education Department maintains a [webpage](#) containing a selection of special education laws, regulations, and guidance.

For any additional questions, please reach out to ISBE’s Student Care Department at [studentcare@isbe.net](mailto:studentcare@isbe.net) or call 217-785-5585.

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