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# Legislative Update

Matthew M. Swift & Natalie A. Jakubowski

ED-RED February Member Meeting

February 13, 2026

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# Introduction



Matthew M. Swift  
Partner  
[Mswift@robbins-schwartz.com](mailto:Mswift@robbins-schwartz.com)



Natalie A. Jakubowski  
Associate  
[njakubowski@robbins-schwartz.com](mailto:njakubowski@robbins-schwartz.com)



# Agenda

1. Safe Schools for All Act
2. Artificial Intelligence Bills & Rules
3. A Few Bills to Watch
4. Q&A



# Safe Schools for All Act

# Safe Schools for All Act: Public Act 104-0288

- Effective **January 1, 2026**
- Amends the School Code to add Section 22-105, "Denial of free education prohibited."
  - "No child may be denied a free public education through secondary school while in this State based on the child's perceived or actual immigration status or the child's parent's or guardian's perceived or actual citizenship or immigration status."

# Safe Schools for All Act: Public Act 104-0288

- Schools are prohibited from:
  - Excluding a child from participation in or denying a child benefits of a program or activity based on the child or their parent's/guardian's actual or perceived citizenship or immigration status, and
  - Using policies or procedures or engaging in practices that have the above effect
    - i.e., requesting or collecting information from a student or their parent/guardian about citizenship or immigration status (unless required by law); or designating such information as directory information



# Safe Schools for All Act: Public Act 104-0288

- Schools cannot perform the following actions:
  - Threaten to disclose anything related to actual or perceived citizenship or immigration status of a child or associated person to another person or entity or immigration/law enforcement agency
  - Disclose anything related to the perceived citizenship or immigration status of a child or associated person to another person or entity or immigration/law enforcement agency, regardless of whether the school does or does not have direct knowledge of their status

# Safe Schools for All Act: Public Act 104-0288

- Schools must develop procedures for reviewing and authorizing requests from law enforcement agents attempting to enter a school or school facility by **July 1, 2026** that must include:
  - Procedures for reviewing and contacting a designated authorized person, who may contact the school's legal counsel, and procedures for that authorized person or legal counsel to review requests to enter a school (including judicial warrants, nonjudicial warrants, and subpoenas)
  - Procedures for monitoring, accompanying, and documenting all interactions with law enforcement agents while on school premises
  - Notification and consent procedures if a law enforcement agent requests access to a student (unless in compliance with a judicial warrant or subpoena that restricts disclosure to parent/guardian)
- Schools must also adopt a policy for complying with these requirements of this Act by **July 1, 2026**

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# Safe Schools for All Act: Public Act 104-0288

Beginning **July 1, 2026**, any party aggrieved by violating conduct may bring a civil lawsuit within 2 years after the violation.

- Actual damages may be awarded





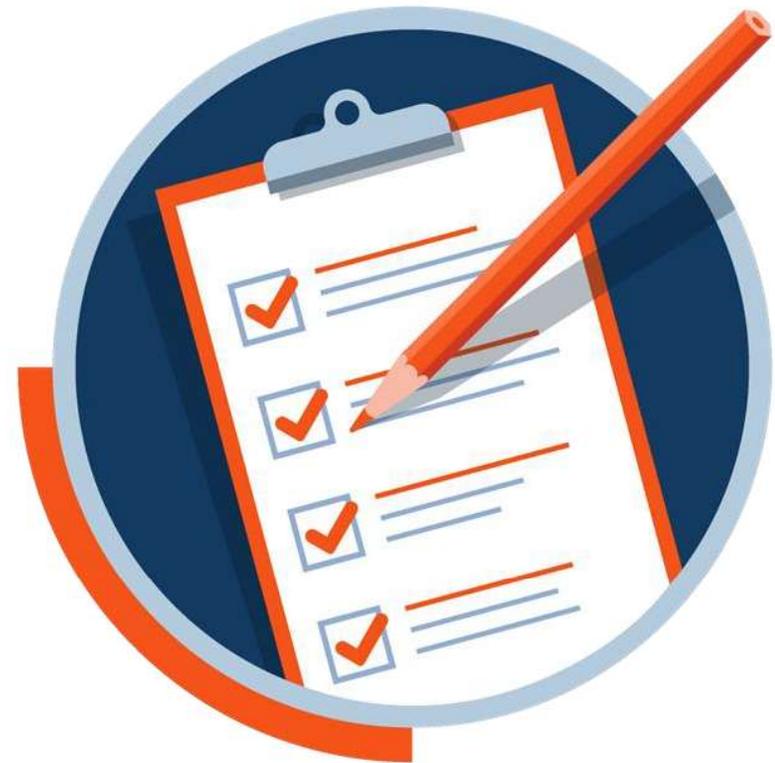
# Artificial Intelligence

# Artificial Intelligence: Public Act 103-0804

- Illinois Human Rights Act - 775 ILCS 5/2-102(L).
  - Sec. 2-102. Civil rights violations; employment. It is a civil rights violation:
    - (L) Use of artificial intelligence.
      - (1) With respect to recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure, or the terms, privileges, or conditions of employment, **for an employer to use artificial intelligence that has the effect of subjecting employees to discrimination** on the basis of protected classes under this Article or to use zip codes as a proxy for protected classes under this Article.
      - (2) For an employer **to fail to provide notice to an employee that the employer is using artificial intelligence for the purposes described in paragraph (1)**. The Department shall adopt any rules necessary for the implementation and enforcement of this subdivision, including, but not limited to, rules on the circumstances and conditions that require notice, the time period for providing notice, and the means for providing notice.

# Artificial Intelligence: : Public Act 103-0804

- IDHR is required to promulgate rules regarding notice requirements and other compliance components.
- Draft Rules were released at the end of 2025 and now being circulated for comment.



# Artificial Intelligence: Draft Rules Highlights



- Maintain specific notices, postings, disclosures and records related to AI use pursuant to the Act for a period of four years following such use.

# Artificial Intelligence: Draft Rules Highlights

- Defines "use" of AI to include any instance in which the output of an AI system influences or facilitates a covered employment decision
  - Covered employment decisions: recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure, or the terms, privileges, or conditions of employment
- Notice is required:
  - When an employer is using AI to influence or facilitate a covered employment decision
  - Required "regardless of whether the employer's use of AI has the purpose or effect of subjecting employees to unlawful discrimination"

# Artificial Intelligence: Draft Rules Highlights

- Examples in the rules of when notice is required:
  - Using a computer-based assessment or test, such as questions or puzzles, to:
    - Make predictive assessments;
    - Measure skills, dexterity, reaction time and/or mental or physical abilities or characteristics;
    - Measure personality trait, aptitude, attitude, and/or cultural fit;
    - Screen, evaluate, categorize, and/or recommend prospective or current employees.
  - Using AI to direct job ad or recruiting materials targeted to a specific group
  - Screening resumes for patterns or specific terms
  - Analyzing virtual interviews, videos, or interview transcripts
  - Analyzing data acquired from third parties regarding prospective or current employees

# Artificial Intelligence: SB2909

- Amends the School Code to prohibit an evaluator from using an AI tool to assign a numerical score or qualitative rating for any component of a teacher's evaluation or any evaluation task that requires professional judgment
  - Does allow use of an AI tool to be used to support the evaluator in administrative tasks – joint committee to determine how these tools may be used in administrative tasks
- Requires evaluator who uses an AI tool to disclose the name and purpose of the tool to the teacher



# A Few Bills to Watch

# Tier 2 Pension Reform: SB1937

- Amends the Illinois Pension Code
  - Reduces the retirement age
    - Retirement at 62 if the individual has reached 75% of their final average salary or at 65 with 20 years of service
    - Retirement at age 67 with 10 years of service
  - Increases the automatic annual increase or "COLA" for retirees
  - Reduces the number of years of earnings used to determine the final average salary/rate of earnings
  - Increases the maximum pensionable salary able to be used in the pension calculation

# K-12 Discipline: HB3772

- Amends the Illinois School Code to limit suspensions
  - Prohibits students in kindergarten through second grade from being expelled unless required by law
  - Decision to suspend a student in kindergarten through second grade for 3 or more days may only be made by the superintendent
    - Length of suspension cannot be longer than the number of days required by the district to develop and implement a BIP or safety plan
  - If student is suspended in excess of 20 school days, they may be immediately transferred to an alternative program
  - Student shall not be denied transfer because of suspension (unless deemed to cause a threat to safety)



# Freedom of Information Act Bills



# Freedom of Information Act Bills

- HB4681, HB4682, HB4683, HB4684
  - Specify additional days that are not business days for public educational institutions
  - Add "mass requester" or "purposeless mass request" status with additional time to comply
  - Require plaintiffs to provide an opportunity to confer before filing a lawsuit
  - Limit attorney fee-shifting in litigation for some requesters, or allow fee-shifting for public bodies
  - Add "vexatious requester" designation process
  - Expand the definition of "commercial purpose" to include using records to provide services to a specific customer or client
  - Deem commercial purpose requests unduly burdensome if they are repeated by the same person and seek similar or updated records

# Notice to Remedy: SB2914



- Teacher may grieve the issuance of a written warning to determine whether the Board had just cause in issuing it.
- Written warning must "narrowly specify" the nature of the alleged misconduct.
- Warning or subsequent action must be "reasonably related" to the specific conduct alleged.
  - Replacing language regarding "general allegations of unprofessional conduct"
- Written warning cannot remain effective for longer than 4 years from the date of the issuance.
- Can still argue that conduct is part of an alleged pattern

# Notice to Remedy: SB2914

- Practical concerns with SB2914
  - Cost of grieving and arbitrating written warnings and Notices to Remedy
    - Essentially a "duplicate method for ultimately challenging the process for dismissal"
  - Conflicts over whether second remediable offenses are "reasonably related" to "narrowly specified" remediable conduct
  - Requires schools to keep teachers who commit repeated remediable misconduct after 4 years
    - Example: A teacher who was warned about endangering students could do so again four years later, and the prior warning would not support dismissal.



**QUESTION & ANSWER**