

MOUNT VERNON CITY SCHOOLS
DISTRICT 80

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Table of Contents:

Acknowledgements	3
Uniform Grievance Procedure.....	6
Education of Children with Disabilities.....	8
Home and Hospital Instruction.....	9
Access to Electronic Networks.....	10
Procedures of Evaluating and Reporting Student Achievement.....	11
Equal Educational Opportunities.....	13
Student Residence	14
Closed Campus – Releasing Children from School	16
Search and Seizure	16
Use of Metal Detectors for Student Safety.....	17
Student and Family Privacy Rights	18
Notification to Parents of Family Privacy Rights.....	20
Student Discipline	21
Aggressive Behavior Reporting Letter and Form.....	26
Disciplinary Report	27
Disciplinary Transportation.....	28
Office Referral.....	28
Hazing.....	29
Gang Activity Prohibited.....	29
Guidelines for Reciprocal Reporting of Criminal Offenses Committed by Students.....	30
Definitions	31
Suspension Procedures	32
Suspension letters	33
Expulsion Procedures.....	33
Expulsion letters.....	33
Suspension/Expulsion Hearing Procedures.....	34
Harassment of Students Prohibited.....	35
Sexual Harassment.....	35
Sexual Misconduct.....	41
Administering Medicines to Students.....	42
Dispensing Medications.....	43
Asthma Medication Authorization Form.....	45
Self-Administration of Asthma Medication Form.....	46
School Medication Form.....	47
Communicable and Chronic Infectious Disease.....	48
Grading and Promotion.....	50
Waiver of Student Fees.....	51
Guidelines for Investigating Sexting Allegations.....	57
Food Allergy Management Program.....	60
Restrictions on Publications.....	69
Student Records.....	71
Orders of Protection.....	76
Notification to Parents and Students of Rights Concerning a Student’s School Records.....	77
Photograph or Videotape of a Student.....	80
Special Education Process.....	81
Visitors to and Conduct on School Property.....	82
Child Sex Offender.....	82
Accommodating Individuals with Disabilities.....	84
Asbestos letter.....	85

Dear Parents:

This handbook is provided to you and your child as an explanation of the disciplinary rules, behavioral expectations, and certain other policies of the Mount Vernon City Schools. We encourage you, the parent, to take time to review this booklet with your child. Good school discipline is the cooperative responsibility of the student, parent, and school. Through our combined efforts we can continue to provide your child with excellence in education. We welcome your questions and comments at this time.

Yours for excellence in Education,
Aletta Lawrence, Superintendent

District 80 Administration

Mrs. Shannon Marler, Principal	Primary Center	401 N. 30 th St.	244-8068
Mrs. Ellen Gibbs, Asst. Principal	Primary Center	401 N. 30 th St.	244-8068
Mr. Kevin Alvis, Principal	J. L. Buford	623 S. 34 th St.	244-8064
Mrs. Mary McGreer, Principal	Zadok Casey Middle School	1829 Broadway	244-8060
Mr. Scott Williams, Asst. Principal	Zadok Casey Middle School	1829 Broadway	244-8060
Ms. Lori Given, Principal and Director of Head Start	Dr. Andy Hall Early Education Center	301 S. 17 th St.	244-8087
Mrs. Susan Staples, 21 st Century Program Director	J. L. Buford	623 S. 34 th	244-8064
Mrs. Jodi Cooper, Special Education Director	Zadok Casey Middle School	1829 Broadway	244-8060
Dr. Dee Ann Schnautz, Director of Curriculum & Instruction	District Office	2710 North St.	244-8080

Mission Statement:

To Challenge All Students to Seek a Brighter Future.

Vision Statement:

Always Seeking, Always Learning.

INTRODUCTION

Elementary and Secondary Education Act programs are working together supporting overall reforms of states, school districts and schools insuring that all children can benefit from those reforms. Title I school wide programs form the centerpiece of the Elementary and Secondary Education Act's (ESEA) vision and are among the most promising changes in the new Title I.

Title I's emphasis on school wide programs responds to a solid research base about what makes schools work:

- High standards for all children with the elements of education aligned, so that everything is working together to help all students reach those standards
- A focus on teaching and learning
- Partnerships among families, communities, and schools that support student achievement to high standards
- Flexibility to stimulate local school-based and district initiatives coupled with responsibility for student performance
- Resources targeted to areas of greatest needs, in amounts sufficient to make a difference

The schools included in this program are Benjamin Franklin Early Education Center, Mount Vernon City Schools, District 80 Primary Center, J. L. Buford Intermediate Education Center, and Zadok Casey Middle School.

Title I School wide Overview

A Title I school wide program is an educational program that draws on Title I funds in combination with other Federal, State, and local funds to upgrade the entire educational program of the school and to raise academic achievement for all children. Instructional strategies and services in a schoolwide program are a result of holistic planning and a comprehensive assessment of needs.

**Title I School wide Components
Comprehensive Needs Assessment**

There are five components of the Comprehensive Needs Assessment. These include:

- School Improvement/Professional Development Needs Assessment
- School Improvement Plan
- School Climate Survey
- Annual Effectiveness Assessment of the Parent Involvement Program
- Review of State and Local Student Assessments

School wide Reform Strategies

- Provide opportunities for all children to meet the State's proficient and advanced levels of student performance
- Are based on effective means of improving children's achievement based on scientifically based research
- Use effective instructional strategies that increase the amount and quality of learning time, help provide an enriched and accelerated curriculum, meet the educational needs of historically underserved populations, including girls and women
- Address the needs of all children in the school, but particularly the needs of children of target populations of any program that is included in the school wide program and address how the school will determine if these needs are met
- Are consistent with, and are designed to implement, the State and local improvement plans

Highly Qualified Professional Staff

Teachers must possess content knowledge and effective teaching skills to help children learn to high standards. Most programs under the ESEA include a renewed focus on professional development tied to these challenging standards.

Professional Development

Title I emphasizes high-quality teaching and professional development. State, district, and school wide Title I plans must describe how teachers and other staff will participate in professional development to help low-achieving students meet challenging standards. Staff is surveyed annually to determine design and implementation of professional development.

Parent Involvement in Title I Policy

The Title I program for the Mount Vernon City Schools is to be designed to include the parents and teachers of the children being served, including parents and teachers of children in private schools. To insure that parents of children being served have an adequate opportunity to be involved and informed, the district will follow these procedures:

1. Parents of students participating in the Title I program and school staff shall jointly develop and annually review and revise, if necessary, the District's policy for Parent Involvement in Title I.
2. Parents will be notified of their children's participation in the program and will receive a copy of the Parent Involvement Policy.
3. The District's Title I Director, Reading Coordinator and Parent Coordinator will provide technical assistance, coordination and other support necessary to assist participating schools in planning and implementing effective parent involvement.
4. The Title I program will coordinate and integrate parental involvement strategies with the District's Head Start and other programs.
5. The Title I program will provide an opportunity for parents to serve on a School Improvement Team (SIT).
6. Each SIT will have input into the development, operation and evaluation of that school's Title I program. A capacity for strong parent involvement will be built.
7. Student progress and school improvement will be reported to parents. Reporting to the parents may be done through the teacher-parent conferences, newsletters, phone conversations, in writing or by other means.

PARENTAL RIGHTS

The federal government gives parents the right to request the following specific information about the professional qualifications of their children's classroom teachers and receive it in a timely manner:

- Whether the Illinois State Board of Education has licensed or qualified the teacher for the grades and subjects he or she teaches.
- Whether the Illinois State Board of Education has decided that the teacher can teach in a classroom without being licensed or qualified under state regulations because of special circumstance.
- The teacher's college major; whether the teacher has any advanced degrees and, if so, the subject of the degrees.
- Whether any teachers' aides or similar paraprofessionals provide services to your child and, if they do, their qualifications.

To receive this information, please call your child's school principal.

AMERICANS WITH DISABILITIES ACT

Mount Vernon City Schools, District 80 cooperatively supports and complies with the Americans With Disabilities Act of 1990 (ADA). The District encourages all interested persons, including individuals with disabilities or organizations representing individuals with disabilities to contact the district regarding questions pertaining to the district's efforts in complying with the Act. Please contact Mr. Ryan Swan, Assistant Superintendent, coordinator of Section 504 of The Rehabilitation Act of 1973 and ADA Coordinator for District 80, at 2710 North Street, Mt. Vernon, Illinois 62864 or call 618-244-8080.

SCHOOL VISITATION RIGHTS ACT

Under certain circumstances, the School Visitation Rights Act requires employers to grant leave to eligible employees for the purpose of attending school conferences or classroom activities. For additional information, please refer to the School Visitation Rights at 820 ILCS 174/1, et seq.

NONDISCRIMINATION STATEMENT

Mount Vernon City School, District 80's policy is to provide equal educational and extracurricular program opportunities to all students without regard to race, color, national origin, ancestry, sex, ethnicity, language barrier, religious beliefs, physical and mental handicap or disability, economic and social conditions, or actual or potential marital or parental status. Sexual harrassment is prohibited. Please see policy 2.260 for the manner in which and the person(s) to whom complaints of discrimination or harrassment should be brought.

The handbook summarizes various Board of Education policies, complete copies of which may be reviewed at the district office. Board policies and/or this handbook may be amended at any time without notice. In the event of a conflict between this handbook and Board policies or applicable law, the policies or law shall control.

SAMPLE STUDENT/PARENT/TEACHER PLEDGE
MOUNT VERNON CITY SCHOOLS, DISTRICT 80
J. L. BUFORD INTERMEDIATE EDUCATION CENTER
STUDENT/PARENT/TEACHER PLEDGE

If children are to succeed in school, the home and the school must work together. As partners in education, we each have certain responsibilities, as outlined in this pledge, or agreement. TOGETHER, we can improve teaching and learning.

As a parent/guardian, I pledge to:

- Make sure that my child gets a good night's sleep.
- See that my child attends school regularly and arrives on time with school supplies.
- Provide a quiet, well-lighted place for my child to study. (t.v., radio, stereo turned off, no phone calls)
- Establish a time for homework and encourage my child to complete all assigned work.
- Find out how my child is progressing by attending parent/teacher conferences, discussing schoolwork, and communicating with the school/teacher.
- Support the school in its efforts to maintain proper discipline.
- Attend school programs and workshops that will empower me to help my child succeed in school.

Parent/Guardian Signature

As a student, I pledge to:

- Attend school regularly and arrive on time with my school supplies and homework.
- Always do my best work.
- Ask my teacher for help when I don't understand something.
- Discuss with my parents what I am learning in school.
- Follow the school rules and maintain appropriate behavior.

Student Signature

As a teacher, I pledge to:

- Clearly explain the school rules, my classroom expectations, and my grading system.
- Communicate regularly with parents regarding the student's behavior and progress in learning.
- Provide homework assignments as necessary to reinforce learning.
- Provide motivating and interesting learning experiences in my classroom.
- Provide opportunities for all students to meet the required high standards.

Teacher Signature

As a principal, I pledge to:

- Create a welcoming environment for students and parents.
- Communicate to students and parents the school's mission and goals.
- Ensure a safe and orderly learning environment.
- Reinforce the partnership between parent, student, and staff.
- All staff are in compliance with the highly qualified NCLB requirements.

DATE PLEDGE SIGNED: _____
BOARD OF EDUCATION

School Board

Uniform Grievance Procedure

A student, parent/guardian, employee, or community member should notify any District Complaint Manager if he or she believes that the School Board, its employees, or agents have violated his or her rights guaranteed by the State or federal Constitution, State or federal statute, or Board policy, or have a complaint regarding any one of the following:

1. Title II of the Americans with Disabilities Act;
2. Title IX of the Education Amendments of 1972;
3. Section 504 of the Rehabilitation Act of 1973;
4. Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq.;
5. Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. §2000e et seq.;
6. Sexual harassment (Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972);
7. Bullying, 105 ILCS 5/27-23.7
8. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children;
9. Curriculum, instructional materials, and/or programs;
10. Victims' Economic Security and Safety Act, 820 ILCS 180;
11. Illinois Equal Pay Act of 2003, 820 ILCS 112;
12. Provision of services to homeless students
13. Illinois Whistleblower Act, 740 ILCS 174/.
14. Misuse of genetic information (Illinois Genetic Information Privacy Act (GIPA), 410 ILCS 513/ and Titles I and II of the Genetic Information Nondiscrimination Act (GINA), 42 U.S.C. §2000ff et seq.)
15. Employee Credit Privacy Act, 820 ILCS 70/.

The Complaint Manager will attempt to resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of a complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies. All deadlines under this procedure may be extended by the Complaint Manager as he or she deems appropriate. As used in this policy, "school business days" means days on which the District's main office is open.

Filing a Complaint

A person (hereinafter Complainant) who wishes to avail him or herself of this grievance procedure may do so by filing a complaint with any District Complaint Manager. The Complainant shall not be required to file a complaint with a particular Complaint Manager and may request a Complaint Manager of the same gender. The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with a student's parent(s)/guardian(s). The Complaint Manager shall assist the Complainant as needed.

Investigation

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. If the Complainant is a student, under 18 years of age, the Complaint Manager will notify his or her parent(s)/guardian(s) that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law, this policy, or (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

The identity of any student witnesses will not be disclosed except: (1) as required by law or any collective bargaining agreement, or (2) as necessary to fully investigate the complaint, or (3) as authorized by the parent/guardian of the student witness, or by the student if the student is 18 years of age or older.

Within 30 school business days of the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Superintendent. The Complaint Manager may request an extension of time. If a complaint of sexual harassment contains allegations involving the Superintendent, the written report shall be filed with the Board, which will make a decision in accordance with Section 3 of this policy. The Superintendent will keep the Board informed of all complaints.

Decision and Appeal

Within 5 school business days after receiving the Complaint Manager’s report, the Superintendent shall mail his or her written decision to the Complainant by U.S. mail, first class, as well as the Complaint Manager.

Within 10 school business days after receiving the Superintendent’s decision, the Complainant may appeal the decision to the Board by making a written request to the Complaint Manager. The Complaint Manager shall promptly forward all materials relative to the complaint and appeal to the Board. Within 30 school business days, the Board shall affirm, reverse, or amend the Superintendent’s decision or direct the Superintendent to gather additional information. Within 5 school business days of the Board’s decision, the Superintendent shall inform the Complainant of the Board’s action.

This grievance procedure shall not be construed to create an independent right to a hearing before the Superintendent or Board. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.

Appointing Nondiscrimination Coordinator and Complaint Managers

The Superintendent shall appoint a Nondiscrimination Coordinator to manage the District’s efforts to provide equal opportunity employment and educational opportunities and prohibit the harassment of employees, students, and others.

The Superintendent shall appoint at least one Complaint Manager to administer the complaint process in this policy. If possible, the Superintendent will appoint 2 Complaint Managers, one of each gender. The District’s Nondiscrimination Coordinator may be appointed as one of the Complaint Managers.

The Superintendent shall insert into this policy and keep current the names, addresses, and telephone numbers of the Nondiscrimination Coordinator and the Complaint Managers.

Nondiscrimination Coordinator:

Ryan Swan, Asst. Supt. _____

Name

2710 North Street. _____

Address

Mt. Vernon, IL 62864 _____

618-244-8080 _____

Telephone

Complaint Managers:

<u>Ryan Swan, Asst. Supt.</u>	<u>Dee Ann Schnautz, Director of Curriculum</u>
<u>Name</u>	<u>Name</u>
<u>2710 North Street.</u>	<u>2710 North Street</u>
<u>Address</u>	<u>Address</u>
<u>Mt. Vernon, IL 62864</u>	<u>Mt. Vernon, IL 62864</u>
<u>618-244-8080</u>	<u>618-244-8080</u>
<u>Telephone</u>	<u>Telephone</u>

LEGAL REF.: Age Discrimination in Employment Act, 29 U.S.C. §621 et seq.
Americans With Disabilities Act, 42 U.S.C. §12101 et seq.
Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. §2000e et seq.
Equal Pay Act, 29 U.S.C. §206(d).
Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff et seq.
Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.
McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.
Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.
Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq.
Title IX of the Education Amendments, 20 U.S.C. §1681 et seq.
105 ILCS 5/2-3.8, 5/3-10, 5/10-20.7a, 5/10-22.5, 5/22-19, 5/24-4, 5/27-1, 5/27-23.7, and 45/1-15.
Illinois Genetic Information Privacy Act, 410 ILCS 513/.
Illinois Whistleblower Act, 740 ILCS 174/.
Illinois Human Rights Act, 775 ILCS 5/.
Victims’ Economic Security and Safety Act, 820 ILCS 180, 56 Ill.Admin.Code Part 280.
Equal Pay Act of 2003, 820 ILCS 112.
Employee Credit Privacy Act, 820 ILCS 70/.
23 Ill.Admin.Code §§1.240 and 200-40.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 6:140 (Education of Homeless Children), 6:170 (Title I Programs), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Preventing Bullying, Intimidation, and Harassment), 8:70 (Accommodating Individuals with Disabilities), 8:110 (Public Suggestions and Concerns)

ADOPTED: April 13, 2011

Mount Vernon City Schools, District 80

6:120

Instruction

Education of Children with Disabilities

The School District shall provide a free appropriate public education in the least restrictive environment and necessary related services to all children with disabilities enrolled in the District, as required by the Individuals With Disabilities Education Act (IDEA) and implementing provisions of the School Code, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act. The term “children with disabilities,” as used in this policy, means children

between ages 3 and 21 (inclusive) for whom it is determined, through definitions and procedures described in the Illinois State Board of Education's *Special Education* rules, that special education services are needed.

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in the Illinois State Board of Education's *Special Education* rules. For those students who are not eligible for services under IDEA, but, because of disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the District shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, and educational placement. This system shall include notice, an opportunity for the student's parent(s)/guardian(s) to examine relevant records, an impartial hearing with opportunity for participation by the student's parent(s)/guardian(s), representation by counsel, and a review procedure.

The District may maintain membership in one or more cooperative associations of school districts that shall assist the District in fulfilling its obligations to the District's disabled students.

If necessary, students may also be placed in nonpublic special education programs or education facilities.

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. §12101 et seq.
Individuals With Disabilities Education Improvement Act of 2004, 20 U.S.C. §1400 et seq.
Rehabilitation Act of 1973, Section 504, 29 U.S.C. §794.
105 ILCS 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02b.
23 Ill.Admin.Code Part 226.
34 C.F.R. §300.

CROSS REF.: 2:150 (Committees), 7:230 (Misconduct by Students with Disabilities)

ADOPTED: October 9, 2013

Instruction

Home and Hospital Instruction

A student who is absent from school, or whose physician anticipates that the student will be absent from school, because of a medical condition may be eligible for instruction in the student's home or hospital. Eligibility shall be determined by State law and the Illinois State Board of Education rules governing (1) the continuum of placement options for students who have been identified for special education services or (2) the home and hospital instruction provisions for students who have not been identified for special education services. Appropriate educational services from qualified staff will begin no later than 5 school days after receiving a physician's written statement. Instructional or related services for a student receiving special education services will be determined by the student's individualized education program.

A student who is unable to attend school because of pregnancy will be provided home instruction, correspondence courses, or other courses of instruction (1) before the birth of the child when the student's physician indicates, in writing, that she is medically unable to attend regular classroom instruction, and (2) for up to 3 months after the child's birth or a miscarriage.

Periodic conferences will be held between appropriate school personnel, parent(s)/guardian(s), and hospital staff to coordinate course work and facilitate a student's return to school.

LEGAL REF.: 105 ILCS 5/10-22.6a, 5/14-13.01, 5/18-4.5, and 5/18-8.05.
23 Ill.Admin.Code §§1.520, 1.610, and 226.300.

CROSS REF.: 6:120 (Education of Children with Disabilities), 7:10 (Equal Educational Opportunity), 7:280 (Communicable and Chronic Infectious Disease)

ADOPTED: July 9, 2014

Mount Vernon City Schools, District 80

6:235

Instruction

Access to Electronic Networks

Electronic networks, including the Internet, are a part of the District's instructional program and serve to promote educational excellence by facilitating resource sharing, innovation, and communication. The Superintendent shall develop an implementation plan for this policy and appoint system administrator(s).

The School District is not responsible for any information that may be lost or damaged, or become unavailable when using the network, or for any information that is retrieved or transmitted via the Internet. Furthermore, the District will not be responsible for any unauthorized charges or fees resulting from access to the Internet.

Curriculum and Appropriate Online Behavior

The use of the District's electronic networks shall: (1) be consistent with the curriculum adopted by the District as well as the varied instructional needs, learning styles, abilities, and developmental levels of the students, and (2) comply with the selection criteria for instructional materials and library resource center materials. As required by federal law and Board policy 6:60, *Curriculum Content*, students will be educated about appropriate online behavior, including but not limited to: (1) interacting with other individuals on social networking websites and in chat rooms, and (2) cyber-bullying awareness and response. Staff members may, consistent with the Superintendent's implementation plan, use the Internet throughout the curriculum.

The District's electronic network is part of the curriculum and is not a public forum for general use.

Acceptable Use

All use of the District's electronic networks must be: (1) in support of education and/or research, and be in furtherance of the goals stated herein, or (2) for a legitimate school business purpose. Use is a privilege, not a right. Students and staff members have no expectation of privacy in any material that is stored, transmitted, or received via the District's electronic networks or District computers. General rules for behavior and communications apply when using electronic networks. The District's *Authorization for Electronic Network Access* contains the appropriate uses, ethics, and protocol. Electronic communications and downloaded material, including files deleted from a user's account but not erased, may be monitored or read by school officials.

Internet Safety

Technology protection measures shall be used on each District computer with Internet access. They shall include a filtering device that protects against Internet access by both adults and minors to visual depictions that are:(1) obscene, (2) pornographic, or (3) harmful or inappropriate for students, as defined by federal law and as determined by the Superintendent or designee. The Superintendent or designee shall enforce the use of such filtering devices. An administrator, supervisor, or other authorized person may disable the filtering device for bona fide research or other lawful purpose, provided the person receives prior permission from the Superintendent or system administrator. The Superintendent or designee shall include measures in this policy's implementation plan to address the following:

1. Ensure staff supervision of student access to online electronic networks,
2. Restrict student access to inappropriate matter as well as restricting access to harmful materials,
3. Ensure student and staff privacy, safety, and security when using electronic communications,
4. Restrict unauthorized access, including "hacking" and other unlawful activities, and
5. Restrict unauthorized disclosure, use, and dissemination of personal identification information, such as, names and addresses.

Authorization for Electronic Network Access

Each staff member must sign the District's *Authorization for Electronic Network Access* as a condition for using the District's electronic network. Each student and his or her parent(s)/guardian(s) agree to the terms of acceptable use of district electronic networks by receipt of the student handbook.

All users of the District's computers to access the Internet shall maintain the confidentiality of student records. Reasonable measures to protect against unreasonable access shall be taken before confidential student information is loaded onto the network.

The failure of any student or staff member to follow the terms of the *Authorization for Electronic Network Access*, or this policy, will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

LEGAL REF.: No Child Left Behind Act, 20 U.S.C. §6777.
 Children’s Internet Protection Act, 47 U.S.C. §254(h) and (l).
 Enhancing Education Through Technology Act, 20 U.S.C §6751 et seq.
 47 C.F.R. Part 54, Subpart F, Universal Service Support for Schools and Libraries.
 720 ILCS 135/0.01.

CROSS REF.: 5:100 (Staff Development Program), 5:170 (Copyright), 6:40 (Curriculum Development), 6:60 (Curriculum Content), 6:210 (Instructional Materials), 6:230 (Media Center), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline), 7:310 (Restrictions on Publications)

ADOPTED: July 11, 2012

INSTRUCTION

Adm. Reg. 6:280

<u>Administrative Procedure of Evaluating and Reporting Student Achievement</u>	Action
Teacher	<p>Informs students about the grading system at the beginning of each school year or term, whichever is applicable.</p> <p>Explains that grades: (1) assess progress toward education goals and assist in the improvement of that progress, (2) will be given by the teacher, using his or her professional judgment, in an impartial and consistent manner, and (3) will reflect excessive, unexcused absences.</p> <p>Assesses student achievement as demonstrated through such performance indicators as the following (these are not listed in order of importance):</p> <ol style="list-style-type: none"> 1. Preparation of assignments, including completeness, accuracy, legibility, and promptness. 2. Contribution to classroom discussions. 3. Demonstrated understanding of concepts. 4. Application of skills and knowledge to new situations. 5. Organization, presentation, and content of written and oral reports. 6. Originality and reasoning ability when working through problems. 7. Accomplishment in class presentations and projects. 8. Performance on tests, quizzes, and final examinations. <p>Assigns grades for academic improvement and achievement using standardized criterion-referenced test scores, letter grades, and/or other assigned numerical criteria.</p> <p>A grade of “incomplete” should be assigned when a student experiences an excused, extended absence at the end of the term or during final examinations; an incomplete grade, if not satisfied within 2 weeks, will be changed into an “E” or “does not meet” grade.</p> <p>Whenever it becomes evident that a student is in danger of failing, arranges a special conference with the parent(s)/guardian(s) or sends the parent(s)/guardian(s) a written report.</p>
Building Principal or designee	Supervises implementation of this administrative procedure.

<u>Administrative Procedure of Evaluating and Reporting Student Achievement</u>	Action
	<p>Insures that parent(s)/guardian(s) are informed of their student’s progress at regular intervals, but at least 4 times a year, and whenever the student’s performance requires special attention.</p> <p>Divorced or separated parents will both be informed unless a court order requires otherwise. All grades and symbols must be appropriately explained.</p> <p>Establishes an appropriate means of communication whenever he or she becomes aware that a parent/guardian is unable to understand written communications from the school or oral communications made during conferences related to the student’s progress or school activities.</p> <p>Develops a timetable for deficiency reports.</p> <p>Supervises the various methods for communicating with parents/guardians including:</p> <ol style="list-style-type: none"> 1. Parent-teacher conferences, conducted on a regular basis. They may be scheduled on different days and at different times to accommodate the various grade levels and attendance centers. 2. Open houses, parent education meetings, and newsletters. 3. Interim reports, through which teachers contact parents/guardians whenever teachers believe additional information should be shared. Teachers shall try to be available to meet with parents/guardians at a mutually agreed upon time.
Building Principal or designee	<p>Makes the final decision for a student’s retention with input from the classroom teacher, parent/guardian, and other school personnel as appropriate.</p> <p>Retention decisions are based on quantitative measures (e.g., maturity level, ability, and level of academic achievement), supplemented by a qualitative assessment of the student’s motivation, self-image, and social adjustment. Students shall not be promoted for purely social reasons.</p> <p>Recommends placement, promotion, or retention based on the student’s best interests after a careful evaluation of the advantages and disadvantages of alternatives.</p> <p>For students demonstrating a proficiency level one or more grades below current placement, arranges for an individual remediation plan developed in consultation with the parents/guardians. ¹ The remediation plan may include summer school, extended school day, special homework, tutorial sessions, modified instructional materials, other modifications in the instructional program, reduced class size, or retention in grade.</p>
Parents/Guardians	<p>Attend parent-teacher conferences.</p> <p>Provide a study-conducive atmosphere and supervises their child’s completion of course work.</p> <p>Sign their student’s report cards and other assessment notices and provides appropriate feedback to their child.</p> <p>Whenever a question or concern arises, leave a phone message at the school for the appropriate teacher or other school staff member.</p> <p>In order to object to a grade or retention decision, first confer with the appropriate teacher and, if still not satisfied, contact the Building Principal.</p>
Building Principal or designee	<p>Confers with any parent/guardian and/or student who objects to a grade or retention decision.</p> <p>Discusses with the teacher the reasons why the parents/guardians and/or student objects to a grade or retention decision and requests the teacher’s perspective.</p>

¹ 105 ILCS 5/2-3.64(b).

<u>Administrative Procedure of Evaluating and Reporting Student Achievement</u>	Action
	<p>Determines whether to change the grade based on the existence of any of the following:</p> <ul style="list-style-type: none"> • A miscalculation of test scores; • A technical error in assigning a particular grade or score; • The teacher agrees to allow the student to do extra work that may impact the grade; • An inappropriate grading system used to determine the grade; or • An inappropriate grade based on an appropriate grading system. <p>Decides whether to change the grade and, if so, notifies the teacher of the nature and reason for the change and signs the changed record.</p>

STUDENTS

7:10

Equal Educational Opportunities

Equal educational and extracurricular opportunities shall be available for all students without regard to race, color, national origin, sex, sexual orientation, ancestry, age, religious beliefs, physical or mental disability, status as homeless, or actual or potential marital or parental status, including pregnancy. Further, the District will not knowingly enter into agreements with any entity or any individual that discriminates against students on the basis of sex or any other protected status, except that the District remains viewpoint neutral when granting access to school facilities under School Board policy 8:20, *Community Use of School Facilities*. Any student may file a discrimination grievance by using Board policy 2:260, *Uniform Grievance Procedure*.

Sex Equity

No student shall, based on sex or sexual orientation, be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities.

Any student may file a sex equity complaint by using Board policy 2:260, *Uniform Grievance Procedure*. A student may appeal the Board’s resolution of the complaint to the Regional Superintendent (pursuant to 105 ILCS 5/3-10) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8).

Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator. The Superintendent and Building Principal shall use reasonable measures to inform staff members and students of this policy and grievance procedure.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.

- Title IX, 20 U.S.C. §1681 et seq.; 34 C.F.R. Part 106.
- Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.
- Religious Freedom Restoration Act, 775 ILCS 35/5.
- Ill. Constitution, Art. I, §18.
- Good News Club v. Milford Central School, 121 S.Ct. 2093 (2001).
- 105 ILCS 5/101 et seq.
- 775 ILCS 5/1-101 et seq.
- 23 Ill.Admin.Code §1.240 and Part 200.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 6:220 (Instructional Materials Selection and Adoption), 7:20 (Harassment of Students Prohibited), 7:130 (Student Rights and Responsibilities), 8:20 (Community Use of School Facilities)

Students Residence²Resident Students

Only students who are residents of the District may attend a District school without a tuition charge, except as otherwise provided below or in State law. A student's residence is the same as the person who has legal custody of the student.

A person asserting legal custody over a student, who is not the child's natural or adoptive parent, shall complete a signed statement, stating: (a) that he or she has assumed and exercises legal responsibility for the child, (b) the reason the child lives with him or her, other than to receive an education in the District, and (c) that he or she exercises full control over the child regarding daily educational and medical decisions in case of emergency. If the District knows the current address of the child's natural or adoptive parent, the District shall request in writing that the person complete a signed statement or Power of Attorney stating: (a) the role and responsibility of the person with whom their child is living, and (b) that the person with whom the child is living has full control over the child regarding daily educational and medical decisions in case of emergency.

A student whose family moves out of the District during the school year will be permitted to attend school for the remainder of the year without payment of tuition.

When a student's change of residence is due to the military service obligation of the student's legal custodian, the student's residence is deemed to be unchanged for the duration of the custodian's military service obligation if the student's custodian made a written request. The District, however, is not responsible for the student's transportation to or from school.

If, at the time of enrollment, a dependent child of military personnel is housed in temporary housing located outside of the District, but will be living within the District within 60 days after the time of initial enrollment, the child is allowed to enroll, subject to the requirements of State law, and must not be charged tuition.

Requests for Non-Resident Student Admission

Non-resident students may attend District schools upon the approval of a request submitted by the student's parent(s)/guardian(s) for non-resident admission. The Superintendent may approve the request subject to the following:

1. The student will attend on a year-to-year basis. Approval for any one year is not authorization to attend a following year.
2. The student will be accepted only if there is sufficient room.
3. The student's parent(s)/guardian(s) will be charged the maximum amount of tuition as allowed by State law.
4. The student's parent(s)/guardian(s) will be responsible for transporting the student to and from school.

Admission of Non-Resident Students Pursuant to an Agreement or Order

Non-resident students may attend District schools tuition-free pursuant to:

1. A written agreement with an adjacent school district to provide for tuition-free attendance by a student of that district, provided both the Superintendent or designee and the adjacent district determine that the student's health and safety will be served by such attendance.
2. A written agreement with cultural exchange organizations and institutions supported by charity to provide for tuition-free attendance by foreign exchange students and non-resident pupils of charitable institutions.
3. According to an intergovernmental agreement.
4. Whenever any State or federal law or a court order mandates the acceptance of a non-resident student.

Homeless Children

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce records normally required to establish residency. School Board policy 6:140, *Education of Homeless Children*, and its implementing administrative procedure, govern the enrollment of homeless children.

Challenging a Student's Residence Status

If the Superintendent or designee determines that a student attending school on a tuition-free basis is a non-resident of the District for whom tuition is required to be charged, he or she on behalf of the School Board shall notify the person who enrolled the student of the tuition amount that is due. The notice shall be given by certified mail, return receipt requested. The person who enrolled the student may challenge this determination and request a hearing as provided by The School Code, 105 ILCS 5/10-20.12b.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.

² State or federal law controls this policy's content.

105 ILCS 5/10-20.12a, 5/10-20.12b, and 5/10-22.5.

105 ILCS 45/.

23 Ill.Admin.Code §1.240.

Israel S. by Owens v. Board of Educ. of Oak Park and River Forest High School Dist. 200, 601 N.E.2d 1264 (Ill.App.1, 1992).

Joel R. v. Board of Education of Manheim School District 83, 686 N.E.2d 650 (Ill.App.1, 1997).

Kraut v. Rachford, 366 N.E.2d 497 (Ill.App.1, 1977).

CROSS REF.: 6:15 (School Accountability *containing* “School Choice for Students Enrolled in a School Identified for Improvement, Corrective Action, or Restructuring”), 6:140 (Education of Homeless Children), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:70 (Attendance and Truancy)

Mount Vernon City Schools, District 80

7:70

Students

Attendance and Truancy

Compulsory School Attendance

This policy applies to individuals who have custody or control of a child: (a) between the ages of 7 and 17 years of age (unless the child has graduated from high school), or (b) who is enrolled in any of grades, kindergarten through 12, in the public school regardless of age. These individuals must cause the child to attend the District school wherein the child is assigned, except as provided herein or by State law. Subject to specific requirements in State law, the following children are not required to attend public school: (1) any child attending a private school (including a home school) or parochial school, (2) any child who is physically or mentally unable to attend school (including a pregnant student suffering medical complications as certified by her physician), (3) any child lawfully and necessarily employed, (4) any child over 12 and under 14 years of age while in confirmation classes, and(5) any child absent because his or her religion forbids secular activity on a particular day.

The parent/guardian of a student who is enrolled must authorize all absences from school and notify the school in advance or at the time of the student’s absence. A valid cause for absence includes illness, observance of a religious holiday, death in the immediate family, family emergency, other situations beyond the control of the student, other circumstances that cause reasonable concern to the parent/guardian for the student’s safety or health, or other reason as approved by the Superintendent or designee.

Absenteeism and Truancy Program

The Superintendent or designee shall manage an absenteeism and truancy program in accordance with the School Code and School Board policy. The program shall include but not be limited to:

1. A protocol for excusing a student from attendance who is necessarily and lawfully employed. The Superintendent or designee is authorized to determine when the student’s absence is justified.
2. A process to telephone, within 2 hours after the first class, the parents/guardians of students in grade 8 or below who are absent without prior parent/guardian notification.
3. A process to identify and track students who are truants, chronic or habitual truants, or truant minors as defined in the School Code, Section 26-2a.
4. Methods for identifying the cause(s) of a student’s unexcused absenteeism, including interviews with the student, his or her parent(s)/guardian(s), and staff members or other people who may have information.
5. The identification of supportive services that may be offered to truant or chronically truant students, including parent-teacher conferences, student and/or family counseling, or information about community agency services. See Board policy 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*.
6. A process to request the assistance and resources of outside agencies, such as, the juvenile officer of the local police department or the truant office of the appropriate Regional Office of Education, if truancy continues after supportive services have been offered.
7. A protocol for cooperating with non-District agencies including County or municipal authorities, the Regional Superintendent, truant officers, the Community Truancy Review Board, and a comprehensive community based youth service agency. Any disclosure of school student records must be consistent with Board policy 7:340, *Student Records*, as well as State and federal law concerning school student records.
8. An acknowledgement that no punitive action, including out-of-school suspensions, expulsions, or court action, shall be taken against a chronic truant for his or her truancy unless available supportive services and other school resources have been provided to the student.
9. The criteria to determine whether a student’s non-attendance is due to extraordinary circumstances shall include economic or medical necessity or family hardship and such other criteria that the Superintendent believes qualifies.

LEGAL REF.: 105 ILCS 5/26-1 through 16.
705 ILCS 405/3-33.5.
23 Ill.Admin.Code §§1.242 and 1.290.

CROSS REF.: 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:150 (Home and Hospital Instruction), 7:10 (Equal Educational Opportunities), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:80 (Release Time for Religious Instruction/Observance), 7:190 (Student Discipline), 7:340 (Student Records)

ADOPTED: October 14, 2009

STUDENTS

7:90

CLOSED CAMPUS

Students

Release During School Hours³

For safety and security reasons, a prior written or oral consent of a student’s custodial parent/guardian is required before a student is released from school: (1) at any time other than the regular dismissal times or other times when a school is officially closed, and/or (2) to any person other than the custodial parent/guardian.

Early Dismissal Announcement

The Superintendent shall make reasonable efforts to issue an announcement whenever it is necessary to dismiss school early due to inclement weather or other reason.

Closed Campus

Students are not permitted to leave the school campus at lunch times to eat elsewhere or to purchase food. The Superintendent or designee will establish procedures for the implementation of this closed campus policy.

CROSS REF.: 4:170 (Safety)

STUDENTS

STUDENTS – LUNCH PROGRAM AND CLOSED CAMPUS AT LUNCH TIME

Adm. Reg. 7:90

- a. Cafeteria facilities are available in all schools to provide children with the opportunity to have a well-prepared, balanced meal at breakfast and lunch times.
- b. Children are encouraged to have a warm meal at noon, whether it be at school or at home.
- c. Adult supervision will be provided for children who eat at school.
- d. Students are permitted to bring their lunch to school, if the parent so wishes.
- e. Students are permitted to leave school to eat at home, if the parent so wishes and communicates this desire to the principal of the school in writing.
- f. Students are not permitted to leave the school campus to eat at a restaurant or to purchase food at lunch time unless they are accompanied by school personnel, their parent or a responsible adult family member previously authorized by the parent. This authorization must be in writing and must be delivered to school personnel by the parent.

Mount Vernon City Schools, District 80

7:140

Students

Search and Seizure

In order to maintain order and security in the schools, school authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects. “School authorities” includes school liaison police officers.

³ This sample policy and its contents are discretionary with each school board.

School Property and Equipment as well as Personal Effects Left There by Students

School authorities may inspect and search school property and equipment owned or controlled by the school (such as, lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or the consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there.

The Superintendent may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs.

Students

School authorities may search a student and/or the student's personal effects in the student's possession (such as, purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there is a reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the District's student conduct rules. The search itself must be conducted in a manner that is reasonably related to its objective and not excessively intrusive in light of the student's age and sex, and the nature of the infraction.

When feasible, the search should be conducted as follows:

1. Outside the view of others, including students,
2. In the presence of a school administrator or adult witness, and
3. By a certificated employee or liaison police officer of the same sex as the student.

Immediately following a search, a written report shall be made by the school authority who conducted the search, and given to the Superintendent.

Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or the District's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-22.6, and 5/10-22.10a.
Cornfield v. Consolidated High School Dist. No. 230, 991 F.2d 1316 (7th Cir., 1993).
People v. Dilworth, 661 N.E.2d 310 (Ill., 1996), *cert. denied*, 116 S.Ct. 1692 (1996).
People v. Pruitt, 662 N.E. 2d 540 (Ill.App.1, 1996), *app. denied*, 667 N.E. 2d 1061 (Ill.App.1, 1996).
T.L.O. v. New Jersey, 105 S.Ct. 733 (1985).
Vernonia School Dist. 47J v. Acton, 115 S.Ct. 2386 (1995).
Safford Unified School Dist. No. 1 v. Redding, 129 S. Ct. 2633 (2009).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:150 (Agency and Police Interviews), 7:190 (Student Discipline)

ADOPTED: July 11, 2012

STUDENTS

Adm. Reg. 7:140

Students

Administrative Procedures - Use of Metal Detectors For Student Safety

1. Metal detectors may be used when the administration in any school has reasonable suspicion that weapons or dangerous objects are in the possession of unidentified students; when there is a pattern of weapons or dangerous objects found at school, on school property, at a school function, or in the vicinity of a school; or when violence involving weapons has occurred at a school or on school property, at school functions, or in a school's vicinity. The Building Principal shall obtain the Superintendent's permission before using a metal detector. The reasons supporting the use of a metal detector shall be documented.
2. Before a metal detector is used in a particular school, the students shall be notified via the intercom, at an assembly, or by similar means of its use. On the day of its use, signs will be posted to inform students that they will be required to submit to a screening for metal as a condition of entering or continuing attendance at school. The screening will be conducted by Districts staff who may be assisted by law enforcement officials.
3. When a metal detector is being used, students will be allowed to use only the entries designated. If a metal detector activates on a student, the student will be asked to remove metal objects from his or her person and walk through or be scanned again. If, after the removal of other metal objects, a third activation of the metal detector occurs, the student will be taken to a room out of view from the other students and subjected to a "pat-down" search.

4. A “pat-down” search conducted by school personnel shall be a limited feeling of the student’s outer clothing for the purpose of discovering only items which may have activated the metal detecting device.
5. If the school personnel conducting a “pat-down” search feels an object which may have activated the metal detecting device or be other prohibited contraband, the student will be asked to remove it. If the student declines to remove the object, it may then be removed by school personnel.
6. If the object removed from the student could have activated the metal detector, the school personnel must cease performing the “pat-down” search. In such event, the student will again pass through the metal detector and the “pat-down” search will be continued only if the device again yields a positive reading.
7. Under all circumstances, the “pat-down” search will be conducted by school personnel of the same sex as that of the student.
8. School personnel may inspect the contents of any brief case, knapsack, purse, or parcel which activates the metal detector for the limited purpose of determining whether a weapon is concealed therein.
9. All property removed from the student as a result of the above procedures which may be legitimately brought onto school premises will be returned to the student.
10. Property removed from the student, possession of which is violation of District policy, shall be confiscated and the student disciplined in accordance with the District policy.
11. Students who fail to cooperate with school personnel performing their duties under these procedures may be subject to discipline for insubordination.
12. Nothing in these procedures shall limit the authority of school officials to search a student in accordance with District policy on search and seizure.

Students

Student and Family Privacy Rights

Surveys

All surveys requesting personal information from students, as well as any other instrument used to collect personal information from students, must advance or relate to the District’s educational objectives as identified in School Board policy 6:10, *Educational Philosophy and Objectives*, or assist students’ career choices. This applies to all surveys, regardless of whether the student answering the questions can be identified and regardless of who created the survey.

Surveys Created by a Third Party

Before a school official or staff member administers or distributes a survey or evaluation created by a third party to a student, the student’s parent(s)/guardian(s) may inspect the survey or evaluation, upon their request and within a reasonable time of their request.

This section applies to every survey: (1) that is created by a person or entity other than a District official, staff member, or student, (2) regardless of whether the student answering the questions can be identified, and (3) regardless of the subject matter of the questions.

Survey Requesting Personal Information

School officials and staff members shall not request, nor disclose, the identity of any student who completes any survey or evaluation (created by any person or entity, including the District) containing one or more of the following items:

1. Political affiliations or beliefs of the student or the student’s parent/guardian.
2. Mental or psychological problems of the student or the student’s family.
3. Behavior or attitudes about sex.
4. Illegal, anti-social, self-incriminating, or demeaning behavior.
5. Critical appraisals of other individuals with whom students have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or the student’s parent/guardian.
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

The student’s parent(s)/guardian(s) may:

1. Inspect the survey or evaluation upon, and within a reasonable time of, their request, and/or
2. Refuse to allow their child or ward to participate in the activity described above. The school shall not penalize any student whose parent(s)/guardian(s) exercised this option.

Instructional Material

A student's parent(s)/guardian(s) may inspect, upon their request, any instructional material used as part of their child/ward's educational curriculum within a reasonable time of their request.

The term "instructional material" means instructional content that is provided to a student, regardless of its format, printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

Physical Exams or Screenings

No school official or staff member shall subject a student to a non-emergency, invasive physical examination or screening as a condition of school attendance. The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

The above paragraph does not apply to any physical examination or screening that:

1. Is permitted or required by an applicable State law, including physical examinations or screenings that are permitted without parental notification.
2. Is administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.).
3. Is otherwise authorized by School Board policy.

Selling or Marketing Students' Personal Information Is Prohibited

No school official or staff member shall market or sell personal information concerning students (or otherwise provide that information to others for that purpose). The term "personal information" means individually identifiable information including: (1) a student or parent's first and last name, (2) a home or other physical address (including street name and the name of the city or town), (3) a telephone number, (4) a Social Security identification number or (5) driver's license number or State identification card.

The above paragraph does not apply: (1) if the student's parent(s)/guardian(s) have consented; or (2) to the collection, disclosure or, use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions, such as the following:

1. College or other postsecondary education recruitment, or military recruitment.
2. Book clubs, magazines, and programs providing access to low-cost literary products.
3. Curriculum and instructional materials used by elementary schools and secondary schools.
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
5. The sale by students of products or services to raise funds for school-related or education-related activities.
6. Student recognition programs.

Under no circumstances may a school official or staff member provide a student's "personal information" to a business organization or financial institution that issues credit or debit cards.

Notification of Rights and Procedures

The Superintendent or designee shall notify students' parents/guardians of:

1. This policy as well as its availability upon request from the general administration office.
2. How to opt their child or ward out of participation in activities as provided in this policy.
3. The approximate dates during the school year when a survey requesting personal information, as described above, is scheduled or expected to be scheduled.
4. How to request access to any survey or other material described in this policy.

This notification shall be given parents/guardians at least annually, at the beginning of the school year, and within a reasonable period after any substantive change in this policy.

The rights provided to parents/guardians in this policy transfer to the student when the student turns 18 years old, or is an emancipated minor.

LEGAL REF.: Protection of Pupil Rights, 20 U.S.C. §1232h.
Children’s Privacy Protection and Parental Empowerment Act, 325 ILCS 17/1 et seq.
105 ILCS 5/10-20.38.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 6:210 (Instructional Materials), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs),
7:130 (Student Rights and Responsibilities)

ADOPTED: October 14, 2009

Adm. Reg. 7.15E

Students

Exhibit - Notification to Parents of Family Privacy Rights ⁴

Date

Re: Student Survey Participation

Dear Parents:

Your child will be asked to complete a survey as described below:

Survey description: _____

Survey grade/participants: _____ Anticipated Survey date(s): _____

Parents/guardians may request that their child not participate in surveys that concern one or more of the following eight areas:

1. Political affiliations or beliefs of the student or student’s parent/guardian;
2. Mental or psychological problems of the student or student’s family;
3. Sexual behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom the student has close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents/guardians; or
8. Income other than as required by law to determine program eligibility.

The school will not penalize any student whose parent/guardian exercises this option. In addition, a parent/guardian may review surveys asking questions about the above areas as well as other instructional materials. School Board policy 7:15, *Student and Family Privacy Rights*, contains a more thorough explanation of these rights and may be obtained from the Building Principal.

Opt-Out Instructions (Note: *This notice and opt-out right transfers from parents/guardians to any student who is 18 years old.*)

If you do not want your child to participate in this activity, contact your child’s Building Principal no later than _____. If we do not hear from you by this date, we will assume that you do not object to having your child participate in the surveys described above.

Request to Review

If you wish to review any survey instrument or instructional material, please submit your request to the Building Principal. You will be notified of the time and place where you may review these materials.

Building Principal contact information: _____

⁴ The Protection of Pupil Rights Act grants parents/guardians the right to preview surveys and to prohibit their child’s participation (20 U.S.C. §1232h(c)). **This form does not contain the mandatory notifications if a board adopts optional provisions concerning invasive physical examinations.** (See f/ns 2, 9, and 13 in sample policy 7:15, *Student and Family Privacy Rights*.)

Misconduct by Students with DisabilitiesBehavioral Interventions

Behavioral interventions shall be used with students with disabilities to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors. The School Board will establish and maintain a committee to develop, implement, and monitor procedures on the use of behavioral interventions for children with disabilities.

Discipline of Special Education Students

The District shall comply with the Individuals With Disabilities Education Improvement Act of 2004 and the Illinois State Board of Education's *Special Education* rules when disciplining special education students. No special education student shall be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of his or her disability.

LEGAL REF.: Individuals With Disabilities Education Improvement Act of 2004, 20 U.S.C. §§1412, 1413, and 1415.
 Gun-Free Schools Act, 20 U.S.C. §3351 et seq.
 34 C.F.R. §§300.101, 300.530 - 300.536.
 105 ILCS 5/10-22.6 and 5/14-8.05.
 23 Ill.Admin.Code §226.400.
Honig v. Doe, 108 S.Ct. 592 (1988).

CROSS REF.: 2:150 (Committees), 6:120 (Education of Children with Disabilities), 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus Conduct)

Mount Vernon City Schools, District 80

7:190

Students**Student Discipline**Prohibited Student Conduct

Disciplinary action may be taken against any student guilty of minor misconduct, inter-mediate acts of misconduct or gross acts of misconduct or disobedience, including, but not limited to, the following:

1. Minor Misconduct

Minor Misconduct shall include, but is not limited to, the following types of conduct and such other conduct as may be designated from time to time by policy of the Board of Education:

- A. Engaging in any activity that constitutes an interference with school purposes or an educational function or any disruptive activity;
- B. Littering - Careless disposal of rubbish or other items;
- C. Loitering - Standing idly about or loafing in classrooms or other parts of the building or on school grounds when asked to refrain from this action;
- D. Failure to carry out directions;
- E. Tardiness - Failure to enter class at the assigned time without an acceptable excuse;
- F. Other minor acts of misconduct.

2. Intermediate Acts of Misconduct

Intermediate misconduct shall include, but is not limited to, the following types of conduct and such other conduct as may be designated from time to time by policy of the Board of Education:

- A. Continuation of unmodified minor acts of misconduct;
- B. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, and wrongfully obtaining test copies or scores;
- C. Using, possessing, distributing, purchasing, or selling tobacco materials; (first offense)
- D. Gambling or participation in games of chance or skill for money or profit;
- E. Forgery or the use of forged notes or excuses;
- F. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property;

- G. Failure to abide by corrective measures of this conduct;
- H. Misrepresentation;
- I. Destruction of property;
- J. Improper use of hands;
- K. Other Intermediate Acts of Misconduct.

3. Gross Acts of Misconduct

Gross disobedience and misconduct shall include, but is not limited, to the following types of conduct and such other conduct as may be designated from time to time by policy of the Board of Education:

- A. Continuation of Unmodified Intermediate Acts of Misconduct;
- B. Disobeying rules of student conduct or directives from staff members or school officials. Examples of disobeying staff directives include refusing a District staff member's request to stop, present school identification, or submit to a search.
- C. Using, possessing, distributing, purchasing, or selling alcoholic beverages; Students who are under the influence of an alcoholic beverage are not permitted to attend school or school functions and are treated as though they had alcohol in their possession.*
- D. Using, possessing, distributing, purchasing, or selling:
 - a. Any illegal drug or controlled substance, or cannabis (including medical cannabis, marijuana, and hashish).
 - a. Any anabolic steroid unless being administered in accordance with a physician's or licensed practitioner's prescription.
 - b. Any performance-enhancing substance on the Illinois High School Association's most current banned substance list unless administered in accordance with a physician's or licensed practitioner's prescription.
 - c. Any prescription drug when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or prescribing physician's or licensed practitioner's instructions. The use or possession of medical cannabis, even by a student for whom medical cannabis has been prescribed, is prohibited.
 - d. "Look-alike" or counterfeit drugs, including a substance not containing an illegal drug or controlled substance, but one: (a) that a student believes to be, or represents to be, an illegal drug or controlled substance; or (b) about which a student engaged in behavior that would lead a reasonable person to believe that the student expressly or impliedly represented to be an illegal drug or controlled substance.
 - e. Drug paraphernalia, including devices that are or can be used to: (a) ingest, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances.
 - f. Any inhalant, regardless of whether it contains an illegal drug or controlled substance; (a) that a student believes is, or represents to be capable of, causing intoxication, hallucination, excitement, or dulling of the brain or nervous system; or (b) about which the student engaged in behavior that would lead a reasonable person to believe that the student intended the inhalant to cause intoxication, hallucination, excitement, or dulling of the brain or nervous system. The prohibition in this section does not apply to a student's use of asthma or other legally prescribed inhalant medications.

Students who are under the influence of an alcoholic beverage or any prohibited substance are not permitted to attend school or school functions and are treated as though they had prohibited substance, as applicable, in their possession.*

- E. Engaging in hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to a staff person or another student, or urging other students to engage in such conduct. Prohibited conduct specifically includes, without limitation, any use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing, bullying, bullying using a school computer or a school computer network, or other comparable conduct. Teen dating violence, as described in Board policy 7:185, *Teen Dating Violence Prohibited*, is prohibited.
- F. Prohibited conduct includes any use of violence, force, noise, coercion, threats, intimidation, fear, harassment, hazing, or other comparable conduct. Fighting with, or any assault of, school personnel or other students;
- G. Verbal abuse of school personnel or other students or use of profane or obscene words or gestures;
- H. Endangering of the physical or psychological well-being of school personnel or other students by conduct or actions, including:
 - 1. Improper release of a school fire alarm or tampering with fire extinguishers;*
 - 2. Starting, or any attempt to start, a fire on school property;*
 - 3. Using, possessing, distributing, purchasing or selling explosive devices or setting off, or any attempt to set off explosive devices on school property;*
 - 4. Using, possessing, controlling, or transferring a "weapon" as that term is defined in the *Weapons* section of this policy, or violating the *Weapons* section of this policy.
 - 5. Using or possessing an electronic paging device. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules. Prohibited conduct specifically includes, without limitation, creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device, or cellular phone. Unless otherwise banned under this policy or by the Building Principal, all electronic devices must be kept powered-off and out of sight during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student's IEP; or (c) it is needed in an emergency that threatens the safety of students, staff, or other individuals.
 - 6. Using or possessing a laser pointer unless under a staff member's direct supervision and in the context of instruction.
 - 7. Bomb threats or the conveyance of threats of false information concerning the placement of explosive charges.*

- I. Disruptive behavior or conduct;
- J. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff or school property.
- K. Being absent without a recognized excuse; State law and School Board policy regarding truancy control will be used with chronic and habitual truants.
- L. Stealing property of greater value than made reference to in policy 715.01, paragraph 2, F;
- M. Repeated using, possessing, distributing, purchasing, or selling tobacco materials;
- N. Extortion - Use of force or threatened use of force to obtain another person's property or money;
- O. Destruction of property;
- P. Being involved with any public school fraternity, sorority, or secret society, by
 - 1. Being a member;
 - 2. Promising to join;
 - 3. Pledging to become a member; or
 - 4. Soliciting any other person to join, promise to join, or be pledged to become a member.
- Q. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia;
- R. Making an explicit threat on an Internet website against a school employee, a student, or any school-related personnel if the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school.
- S. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.
- T. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, and hazing.

*These acts of misconduct will involve the contacting of legal authorities.

4. Bus Infractions

The school bus is considered an extension of the school. The rules of conduct which apply in the building or on campus also apply on the bus and at bus stops. In addition, students are required to abide by the rules established to further clarify proper bus behavior. Bus riding privileges may be suspended provided that appropriate procedures are followed. The rules will be presented to riders at the start of the school year.

Each bus driver is required to report acts of misconduct to the appropriate administrator as soon as possible. Drivers are to utilize a Bus Disciplinary Report Form (Adm. Reg. 715.011). This form is to be completed and forwarded to the principal. Upon receipt of a completed form, the principal will complete an investigation and take the necessary corrective action warranted by the verified misconduct. A copy of the disciplinary report will be forwarded to the transportation company and to the parent. A copy of the disciplinary form is to be kept on file in the principal's office.

For purposes of this policy, the term "possession" includes having control, custody, or care, currently or in the past, of an object or substance, including situations where the item is (a) on the student's person; (b) contained in another item belonging to, or under the control of, the student, such as in the student's clothing, backpack, automobile; (c) in a school's student locker, desk, or other school property; or (d) any other location on school property or at a school-sponsored event.

Efforts, including the use of early intervention and progressive discipline, shall be made to deter students, while at school or a school-related event, from engaging in aggressive behavior that may reasonably produce physical or psychological harm to someone else. The Superintendent or designee shall ensure that the parent/guardian of a student who engages in aggressive behavior is notified of the incident. The failure to provide such notification does not limit the Board's authority to impose discipline, including suspension or expulsion, for such behavior.

No disciplinary action shall be taken against any student that is based totally or in part on the refusal of the student's parent/guardian to administer or consent to the administration of psychotropic or psychostimulant medication to the student.

The grounds for disciplinary action, including those described more thoroughly later in this policy, apply whenever the student's conduct is reasonably related to school or school activities, including, but not limited to:

- 1. On, or within sight of school grounds before, during, or after school hours and at any other time;
- 2. Off school grounds at a school-sponsored activity, or event, or any activity or event which bears a reasonable relationship to school;
- 3. Traveling to or from school or a school activity, function or event; or
- 4. Anywhere, if the conduct interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.

Disciplinary Measures

1. Actions Taken Prior to Office Referral for Minor Acts of Misconduct

Each teacher is to establish a Classroom Management Plan to be put into use prior to making an office referral, unless the behavior is of such serious nature that immediate office referral is warranted.

Examples of correction responses to be taken by teachers as part of their Classroom Management Plan are as follows:

- A. Verbal reprimands;
- B. Behavior contracts;

- C. Personal counseling;
- D. Withholding of privileges;
- E. Demerits;
- F. Classroom detention;
- G. Seizure of contraband;
- H. Notification of parent(s)/guardian(s) and conferences with parent(s)/guardian(s) (by phone or in person);
- I. Written warnings;
- J. Other.

2. Intermediate Types of Behavioral Corrections

Acts of intermediate misconduct may result in the use of one or more of the following types of correction responses to attempt to correct the offending behavior:

- A. Conference with student;
- B. Conference with parents;
- C. Withholding of privileges;
- D. Referral to outside agency of school district support services;
- E. Office referral;*
- F. In-house suspension (Reflection and Redirection, etc.);
- G. Detention - school wide (pre-suspension, etc.);
- H. Temporary removal from class;
- I. Financial restitution;
- J. Conflict resolution strategies;
- K. Referral to instructional support team;
- L. Notifying parents/guardians.
- M. In-school suspension for a period not to exceed five (5) school days. The building principal or a designee shall ensure that the student is properly supervised.
- N. After-school study or Saturday study, provided the student's parent(s)/guardian(s) have been notified. If transportation arrangements cannot be agreed upon, an alternative disciplinary measure must be used. The student must be supervised by the detaining teacher or the building principal or a designee;
- O. Any school work, tests, or assignments of a cumulative nature are to be allowed as make-up work when a student is absent due to suspension or expulsion. All other work missed is at the discretion of the teacher. At the discretion of the superintendent, or the Board of Education upon review, a student may be permitted to make up school work and examinations missed as a result of a suspension or an expulsion;
- P. Authorized personnel may place on probation, detain after school, suspend in-school, or otherwise discipline a student. The principal, or his designee, dean of students, or assistant principal is authorized to suspend a student from school or from riding the school bus. Teachers may remove disruptive students from the classroom;
- Q. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs. The District will not provide transportation. School administration shall use this option only as an alternative to another disciplinary measure giving the student and/or parent/guardian the choice.
- R. Other.

*A student should be referred to the office when the seriousness of the offense, the persistence of the behavior, or the disruptive effect makes the continued presence of the pupil in the classroom detrimental to the education process. A student who is subject to suspension or expulsion may be eligible for a transfer to an alternative school program.

3. Gross Types of Behavioral Corrections

Acts of gross misconduct may result in the use of one or more of the following types of correction responses to attempt to correct the offending behavior:

- A. Suspension from school and all school-sponsored events for up to 10 days, provided that appropriate procedures are followed; a suspended student is prohibited from being on school grounds.
- B. Suspension of bus riding privileges, provided that appropriate procedures are followed.
- C. Expulsion from school and all school-sponsored events for a definite time period not to exceed two (2) calendar years, provided that the appropriate procedures are followed; an expelled student is prohibited from being on school grounds.
- D. Notifying juvenile authorities or other law enforcement whenever the conduct involves illegal drugs (controlled substances), look-alikes, alcohol, or weapons.

A student may be immediately transferred to an alternative program if the student is expelled or otherwise qualifies for the transfer under State law. The transfer shall be in the manner provided in Article 13A or 13B of the School Code.

Corporal punishment is prohibited. Corporal punishment is defined as slapping, paddling, or prolonged maintenance of students in physically painful positions, or intentional infliction of bodily harm. Corporal punishment does not include reasonable force as needed to maintain safety for students, staff, or other persons, or for the purpose of self-defense or defense of property.

Weapons

A student who is determined to have brought one of the following objects to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of at least one calendar year but not more than 2 calendar years:

- 1. A firearm, meaning any gun, rifle, shotgun, or weapon as defined by Section 921 of Title 18 of the United States Code (18 U.S.C. § 921), firearm as defined in Section 1.1 of the Firearm Owners Identification Card Act (430 ILCS 65/), or firearm as defined in Section 24-1 of the Criminal Code of 1961 (720 ILCS 5/24-1).

2. A knife, brass knuckles, or other knuckle weapon regardless of its composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including “look alikes” of any firearm as defined above.

The expulsion requirement under either paragraph 1 or 2 above may be modified by the Superintendent, and the Superintendent’s determination may be modified by the Board on a case-by-case basis. The Superintendent or designee may grant an exception to this policy, upon the prior request of an adult supervisor, for students in theatre, cooking, ROTC, martial arts, and similar programs, whether or not school-sponsored, provided the item is not equipped, nor intended, to do bodily harm.

This policy’s prohibitions concerning weapons apply regardless of whether: (1) a student is licensed to carry a concealed firearm, or (2) the Board permits visitors, who are licensed to carry a concealed firearm, to store a firearm in a locked vehicle in a school parking area.

Required Notices

A school staff member shall immediately notify the office of the Building principal in the event that he or she: (1) observes any person in possession of a firearm on or around school grounds; however, such action may be delayed if immediate notice would endanger students under his or her supervision, (2) observes or has reason to suspect that any person on school grounds is or was involved in a drug-related incident, or (3) observes a battery committed against any staff member. Upon receiving such a report, the Building Principal or designee shall immediately notify the local law enforcement agency or State Police, and any involved student’s parent(s)/guardian(s). “School grounds” includes modes of transportation to school activities and any public way within 1000 feet of the school, as well as school property itself.

Before receiving disciplinary action, the student shall be given the opportunity to deny or explain his or her conduct.

Delegation of Authority

Because the Board of Education is entrusted with the safety, health, and welfare of the students, staff and property of the School District, it may be necessary at times to suspend or expel students from school and from the school bus. The superintendent, principals, assistant principal, dean of students, or acting principal may suspend students from school, the school bus, or school activities.

Each teacher, and any other school personnel when students are under his or her charge, is authorized to impose any disciplinary measure, other than suspension, expulsion, corporal punishment or in-school suspension, that is appropriate and in accordance with the policies and rules on student discipline. Teachers, other certificated educational employees and other persons providing a related service for or with respect to a student, may use reasonable force as needed to maintain safety for other students, school personnel or other persons, or for the purpose of self-defense or defense of property. Teachers may temporarily remove students from a classroom for disruptive behavior.

The Superintendent, Assistant Superintendent, Building Principal, Assistant Building Principal, Dean of Students, or acting principal (designated in the absence of a principal) is authorized to impose the same disciplinary measures as teachers and may suspend students guilty of gross disobedience or misconduct from school (including all school functions), and from riding the school bus, up to ten (10) consecutive school days, provided the appropriate procedures are followed. The School Board may suspend a student from riding the bus in excess of ten (10) days for safety reasons.

Prior to removing any student from the school or the school bus during the regular school day, the authorized administrator shall make reasonable efforts to notify the parents by telephone and take any other steps reasonably necessary to ensure the safety of the student being removed from school or the school bus.

No student who is chronically or habitually truant shall be subject to discipline unless appropriate supportive services have first been provided to the student and have either failed to result in cessation of the chronic or habitual truancy or have been offered and refused.

Parent-Student Handbook

The Superintendent or designee, with input from the parent-teacher advisory committee, shall prepare disciplinary rules implementing the District’s disciplinary policies. These disciplinary rules shall be presented annually to the Board for its review and approval.

A parent-student handbook, including the District disciplinary policies and rules, shall be distributed to the students’ parent(s) and guardian(s) within fifteen (15) days of the beginning of the school year or a student’s enrollment.

LEGAL REF.: Gun-Free Schools Act, 20 U.S.C. §7151 et seq.
Pro-Children Act of 1994, 20 U.S.C. §6081.
410 ILCS 130/, Compassionate Use of Medical Cannabis Pilot Program.
430 ILCS 66/, Firearm Concealed Carry Act.
105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.36, 5/10-21.7, 5/10-21.10, 5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/24-24, 5/26-12, 5/27-23.7, 5/31-3, and 110/3.10.
23 Ill.Admin.Code §1.280.

CROSS REF.: 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline), 6.110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School), 7:70 (Attendance and Truancy), 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:160 (Student Appearance), 7:170 (Vandalism), 7:180 (Preventing Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:270 (Administering Medicines to Students), 7:310 (Restrictions on Publications), 8.30 (Visitors to and Conduct on School Property).

ADOPTED: May 14, 2014

Case referred to _____ Student off bus for () days
OTHER

White – Parent’s Copy Canary – Office Copy Pink – Teacher’s Copy

STUDENTS

7:190E4

Zadok Casey Middle School Disciplinary Form (Office Referral)

NOTICE TO PARENTS: 1. The purpose of this report is to inform you of a disciplinary incident involving this student.
2. You are asked to understand the action taken by the administrator and take the necessary steps to reinforce the action initiated today.

Student’s Name: _____ **Date:** _____ **Gender:** M F

Submitted by: _____ **Time:** BS 1 2 3 4 5 LA LB LC 6 7 8 9 AS

Team: 6G 6M 7G 7M 8G 8M **Special Education:** BD LD TMD EMH **Race:** C AA H AAS

Building

Casey Gym (CG) Hall (H) Hall Gym (HG) Main (M) Science (S) Unified Arts (U)

Location

Assembly (L1) Cafeteria (L4) Emergency Situation (L7) Hallway (L10)
 Bathroom (L2) Classroom (L5) Field Trip (L8) Library (L11)
 Bus (L3) Emergency Drill (L6) Playground (L9) Other _____(L12)

Behavior

Tobacco (B1) Fireworks/explosives (B6) Gang Activity (B11) Fighting (B16)
 Repeated disrespect (B2) Repeated insubordination (B7) Dress Code Violation (B12) Tardiness (B17)
 Repeated disruption (B3) Destruction of property (B8) Truancy (B13) Theft (B18)
 Physical assault/staff (B4) Physical assault/student (B9) Sexual Harassment (B14) Profanity (B19)
 Bullying (B5) Possession of weapon (B10) Drugs (B15) Bomb Threat (21)
 3 minor incidents _____(B20) Other _____(B22)

Description of Behavior _____

All minors are filed with the classroom teacher. Three minors equal a major.

All majors require administrative consequence, parent contact, and signature.

Administrative Response(s):

<input type="checkbox"/> Administrative Warning	<input type="checkbox"/> Student Referred to the Counselor
<input type="checkbox"/> Time in Office	<input type="checkbox"/> Meeting with Teacher and Student
<input type="checkbox"/> Loss of Privileges	<input type="checkbox"/> Meeting with Parent and Teacher (Date _____)
<input type="checkbox"/> Phone Call to Parent (Date _____)	<input type="checkbox"/> Out-of-School Suspension _____ day(s)
<input type="checkbox"/> After-school Detention(s) (Date(s) _____)	<input type="checkbox"/> In-school Suspension (Date(s) _____)
<input type="checkbox"/> Removal from the educational setting for the balance of the day	

Alternative School Placement
 Other _____

Safe School Placement

Comments (if applicable): _____

TO BE COMPLETED BY THE STUDENT

Have you been informed of the charges against you? Yes No Were you allowed to tell your version? Yes No

Signature of Student _____

Authorizing Signature

Signature of Parent

7:190E5

STUDENTS

STUDENT HANDBOOK

Hazing Prohibited

Soliciting, encouraging, aiding, or engaging in hazing is prohibited. "Hazing" means any intentional, knowing, or reckless act directed against a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any organization, club, or athletic team whose members are or include other students.⁵

Students engaging in hazing will be subject to one or more of the following disciplinary actions:⁶

- Removal from the extracurricular activities;
- Conference with parent(s)/guardian(s);
- Referral to appropriate law enforcement agency.

Students engaging in hazing that endangers the mental or physical health or safety of another may also be subject to:

- Suspension for up to 10 days;
- Expulsion for the remainder of the school term.

7:190E6

Student Handbook - Gang Activity Prohibited ⁷

Students are prohibited from engaging in gang activity. ⁸ A "gang" is any group of 2 or more persons whose purpose includes the commission of illegal acts.

⁵ Illinois criminal statute defines hazing as any pastime or amusement taken by a person "for the purpose of holding up any student, scholar, or individual to ridicule for the pastime of others," 720 ILCS 120/2 [ch. 144, ¶ 222]. Even though the constitutionality of this statute was upheld in People v. Anderson, 591 N.E.2d 461 (Ill. 1992), it was not used in this policy because of its breadth and vagueness.

This policy's definition assumes that school districts have very broad authority to discipline students. A district's discipline authority, however, may not extend to every criminal act, nor to every act of wrongdoing, committed by a student.

Districts must generally find a connection between a student's misconduct and the school before it may deprive the student of the student's right to attend school. See McNaughton v. Circleville Board of Education, 46 Ohio Misc. 12, 345 N.E.2d 649 (1974) (a 3-day suspension for school attendance and a 40-day removal from athletic activity were upheld for students participating in initiation held off school property for membership in an "officially recognized" school club).

School officials may remove students from extracurricular activities and athletics for nonschool-related activities because students do not enjoy a protected property right to such participation. Clements v. Board of Educ. of Decatur Public School Dist. 61, 478 N.E.2d 1209 (Ill. App. 4 Dist. 1985).

Districts that desire to state a more limited scope of authority may substitute the following sentence:

"Hazing" means any intentional, knowing, or reckless act directed against a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any school-sponsored or school-recognized organization, club, or athletic team.

⁶ Schools may state the disciplinary consequences in the manner in which they are stated in the student handbook for other acts of misconduct.

⁷ State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled.

This sample procedure is based on a policy used to prohibit gang activity by the district in Olesen v School District 228, 676 F.Supp. 820 (N.D.Ill., E.D. 1987). Administrators supervising buildings with frequent gang activity should be familiar with the laws prohibiting such activity, e.g., 740 ILCS 147/1 et seq. (Ill. Streetgang Terrorism Omnibus Prevention Act); 720 ILCS 5/12-6.2 (gang intimidation); and 720 ILCS 5/12-6.4, as added by P.A. 93-938, eff. 1-1-05 (gang recruitment on school grounds).

⁸ Many types of gang activity are illegal; a district's discipline authority, however, may not extend to every criminal act, or to every act of wrongdoing, committed by a student. Districts must generally find a connection between a student's misconduct and the school before it may deprive the student of the student's right to attend school. Gendelman v.

No student shall engage in any gang activity, including, but not limited to:

Wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that are evidence of membership or affiliation in any gang, committing any act or omission, or using any speech, either verbal or non-verbal (such as gestures or hand-shakes) showing membership or affiliation in a gang, and
Students

Using any speech or committing any act or omission in furtherance of any gang or gang activity, including, but not limited to: (a) soliciting others for membership in any gangs, (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other violation of school district policies, (d) inciting other students to act with physical violence upon any other person.

Students engaging in any gang-related activity will be subject to one or more of the following disciplinary actions: ⁹

- Removal from extracurricular and athletic activities
- Conference with parent(s)/guardian(s)
- Referral to appropriate law enforcement agency
- Suspension for up to 10 days
- Expulsion not to exceed 2 calendar years

STUDENTS

7:190E7

ADMINISTRATIVE PROCEDURES

Students

Administrative Procedure - Guidelines for Reciprocal Reporting of Criminal Offenses Committed by Students ¹⁰

1. The Building Principal and/or the Police Department School Liaison Officer will arrange meetings as needed between school officials and individuals representing law enforcement to share information. ¹¹
2. The Building Principal and the Police Department School Liaison Officer will verbally report to each other the following activities when committed by a student who is less than 17 years of age and is enrolled in the Building Principal's school: ¹²

Glenbrook North High School and Northfield Township School District 225, 2003 WL 21209880 (N.D.Ill., 2003)(student suspensions for hazing at non-school event upheld). School officials may remove students from extra-curricular activities and athletics for non-school-related activities because students do not enjoy a protected property right to such participation. Clements v. Decatur Public School Dist. 61, 478 N.E.2d 1209 (Ill.App.4, 1985).

This sample procedure assumes that schools have very extensive authority to regulate gang activity because, even if it occurs off school grounds, it severely intimidates students, creates an atmosphere of fear thus impeding student attendance, may lead to violence in school by competing gangs, and may be used to recruit new members from the student body. Boards should seek legal advice on this issue.

The policy at issue in Olesen v. School District No. 228, see footnote 2, used a more limited scope of authority than this policy. Schools that desire to state a more limited scope of authority may substitute the following where indicated:

[Substitute this sentence for the original policy's first sentence] Gang activity is prohibited on or about school grounds, on school buses, or off school grounds at any school activity. *[Continue with original policy]*

[Substitute this sentence for the original policy's first sentence of the second paragraph] No student on or about school grounds, on school buses, or off school grounds at a school activity shall engage in any gang activity, including, but not limited to,: *[continue with original policy]*

⁹ Schools may state the disciplinary consequences in the manner in which they are stated for other acts of misconduct in the student handbook.

¹⁰ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled in that a school's ability to share student records is restricted by State and federal law (see footnotes 3 and 4). The district's parent-teacher advisory committee must, in cooperation with local law enforcement agencies, develop guidelines for reciprocal reporting of criminal offenses committed by students (105 ILCS 5/10-20.14). The parent-teacher advisory committee is a school board committee and, thus, is subject to the Open Meetings Act (105 ILCS 120/1.02).

¹¹ This paragraph is optional. While not required by State law, meetings may enhance a cooperative relationship between the school and local law enforcement. The following people should be invited to these meetings: dean, building principal, guidance counselor, State's Attorney, juvenile probation officer, and police department school liaison officer.

¹² School officials should be sensitive to federal and State laws regarding student records (Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, 34 C.F.R. Part 99; Illinois School Student Records Act, 105 ILCS 10/1 *et seq.*). Law enforcement records relating to a minor who has been arrested or taken into custody before his or her 17th birthday must be transmitted to the appropriate school official by a local law enforcement agency under a reciprocal reporting system between the school district and the local law enforcement agency under 105 ILCS 5/10-20.14 (705 ILCS 405/1-7). To whom the reports should be made is within the discretion of the school district and local law enforcement. State law requires a reciprocal reporting system "regarding criminal offenses" (105 ILCS 5/10-20.14). Under a reciprocal reporting agreement, law enforcement may disclose juvenile arrest records for the offenses listed in these sample guidelines (705 ILCS 405/1-7). Alternatively, the guidelines may identify significant criminal activity, e.g.:

- All cases involving illegal or controlled substances

- Unlawful use of weapons under Section 24-1 of the Criminal Code of 1961
 - A violation of the Illinois Controlled Substances Act
 - A violation of the Cannabis Control Act
 - A forcible felony as defined in Section 2-8 of the Criminal Code of 1961
 - A violation of the Methamphetamine Control and Community Protection Act
- a. The reporter should identify the student by name and describe the circumstances of the alleged criminal activity. Local law enforcement officials must certify in writing that the information received from the school will not be disclosed to any other party except as provided by State law without the prior written consent of the student's parent(s)/guardian(s).¹³
 - b. The report should be made as soon as possible after the Liaison Officer or Building Principal reasonably suspects that a student is involved in such activity.¹⁴
 - c. The Building Principal's duty to report such activity arises only when the activity occurs on school property or off school grounds at a school-related function.¹⁵
3. The State's Attorney shall provide to the Building Principal a copy of any delinquency dispositional order concerning any student regardless of age where the crime would be a felony if committed by an adult, or was a Class A misdemeanor in violation of Section 24-1, 24-3, 24-3.1, or 24.5 of the Criminal Code (weapon offenses).¹⁶
 4. Local law enforcement shall provide a copy of all arrest records, and the State's Attorney shall provide a copy of all conviction records, to the Building Principal if the record involves a student who is arrested or taken into custody after his or her 17th birthday.¹⁷
 5. Local law enforcement and the State's Attorney may share or disclose information or records relating or pertaining to juveniles subject to the provisions of the Serious Habitual Offender Comprehensive Action Program when that information is used to assist in the early identification and treatment of habitual juvenile offenders.¹⁸

LEGAL REF.: 105 ILCS 5/10-20.14.
705 ILCS 405/1-7, 1-8(F), and 1-8(G).

CROSS REF.: 2:150 (Committees)

MOUNT VERNON CITY SCHOOLS, DISTRICT 80

7:190E8

STUDENTS

DEFINITIONS

1. **Detention** is the keeping of a student after regular school hours for a reasonable period of time.
2. **Probation** is a conditioned enrollment in school, or a particular school activity or class, for a restricted period of time.
3. **In-school suspension** is a temporary exclusion of a student from a class or classes, with an opportunity to make up missed class work for credit.
4. **Suspension** is a temporary exclusion of a student from school from riding the school bus, or from a class or classes, for a period of time not to exceed ten (10) school days. A student may be suspended from riding the school bus in excess of ten (10) school days for safety reasons.
5. **Expulsion** is the exclusion of a student from school for a period of time greater than ten (10) school days, but for a definite period of time not to exceed two (2) school years, provided that the appropriate procedures are followed.
6. **School personnel** includes teachers, administrators, school board members, school bus drivers and all other school district employees, and school volunteers.

-
- All cases involving weapons of any type
 - All cases involving gang activity
 - All cases involving a serious crime or felony
 - Any other case for which the reporting may be beneficial

This list may be modified after the district's parent-teacher advisory committee meets with local law enforcement.

¹³ School officials should be sensitive to State and federal laws regarding student records (Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99; Illinois School Student Records Act, 105 ILCS 10/1 et seq.). The "written certification" requirement comes from 20 U.S.C. §1232g(b)(1)(E).

¹⁴ A report's timing is not specified in State law.

¹⁵ This limitation is implicit in State law.

¹⁶ Required by 705 ILCS 405/1-8(F).

¹⁷ This duty is not imposed by State law, but may be part of the reciprocal reporting guidelines.

¹⁸ Permitted by 705 ILCS 405/1-8(G).

7. **Special education student** is a student who has been determined eligible for a special education instructional program or support services pursuant to Article 14 of *The School Code*.
8. **Special Education Rules** are the official regulations of the State Board of Education governing special education as found in 23 Ill. Admin. Code 226.
9. **The School Code** refers to the Illinois statutes governing boards of education as found in Chapter 122, par. 1-1 et seq. of the *Illinois Revised Statutes*.
10. **Chronic truant** is any student absent without valid cause for ten percent (10%) of the previous one hundred eighty (180) regular attendance days.
11. **Supportive services** are services including, but not limited to, diagnostic intervention, alternative education programs and community services.

7:200

Students

Discipline - Suspension/Expulsion Procedures

Pre – Suspension Conference

- A. The authorized administrator shall confer with any student who is under consideration for suspension prior to taking such disciplinary action.
- B. Prior to or during a pre-suspension conference, the authorized administrator shall ascertain whether the student is a special education student or may be eligible for special education services. If so, the authorized administrator must also follow the procedures set forth in Policy 7:200.
- C. The student shall be advised of the reasons for the proposed suspension and the evidence in support of those reasons. The student shall also be afforded an opportunity to respond.
- D. The authorized administrator, conferring with the student shall make a written record of the conference.
- E. The authorized administrator after following the above pre-suspension procedures, may then determine whether to suspend the student.
- F. When in the opinion of the authorized administrator, a student poses an immediate threat to school personnel, other students or school property, or poses an ongoing threat of disruption to the educational process, the student may be summarily removed from school without holding a pre-suspension conference as set forth.

Suspension Notification

- A. If the pre-suspension or post-suspension conference results in a decision to suspend, the parents of the student shall be advised immediately of the decision by written notice sent by certified mail, return receipt requested.
- B. The notice to the parents shall be substantially similar to Administrator Regulation 7:200.
- C. A request to review the suspension may be oral or in writing, directed to the Superintendent’s office. Oral notification shall be confirmed in writing by a letter to the parents. If a request for review of the suspension is timely made, the parents of the suspended student shall be given written notification of the time and place at least one (1) week prior to the review with the Board of Education. If the parents, in requesting a review of the suspension, assert that the student is a special education student, then the authorized administrator shall follow the procedures set forth in policy 7:200.
- D. The Superintendent and the Board of Education shall be notified of student suspensions by the authorized administrator, who shall forward a copy of the parental notice of suspension to the Superintendent.

Expulsion Procedures

- A. Prior to any recommendation for expulsion, the authorized administrator shall ascertain whether the student is a special education student. If so, then the procedures set forth in policy 7:200 shall be followed.
- B. Expulsion Notification
 - a. The authorized administrator shall send a letter by certified mail, return receipt requested, to the parents of the student notifying them of the expulsion hearing.
 - b. The expulsion notice to the parents shall be substantially similar to Administrative Regulation 7:200.

LEGAL REF.: 105 ILCS 5/10-22.6(b).
Goss v. Lopez, 95 S.Ct. 729 (1975).
Sieck v. Oak Park River-Forest High School, 807 F.Supp. 73 (N.D. Ill., E.D., 1992).

ADOPTED: October 14, 2009

SUSPENSION LETTER

(Date)
 (Inside Address)
 Dear:

7:200E

This letter is to officially inform you that _____ has been suspended from school for _____ days. This suspension begins on _____ and ends on _____. Your child may return to school on _____. To avoid future suspensions, I require a conference with you and your child concerning our expectations of your child's behavior in school before your child returns to school. Please call me at _____ to arrange for this conference. As the parent (guardian) of _____, you are hereby notified that in accordance with Section 10.22.6 of the School Code of Illinois, this action has been taken because of the following incident: _____. As required by the School Code, your child has been informed about this suspension and the reasons for it. Your child has been given the opportunity to respond to the charges stated and his or her response was considered before the suspension was imposed.

According to the School Code, Section 10-22.6b, you, the parent or guardian of the suspended student, shall receive this notice of the suspension and a notice of your right to a hearing. If you wish to exercise your right to a hearing concerning this suspension, you should notify me in writing within ten days and I will arrange a hearing. Sincerely,

Principal
Mount Vernon City Schools, District 80

7:210

Students

Expulsion Procedures

The Superintendent or designee shall implement expulsion procedures that provide, at a minimum, for the following:

1. Before a student may be expelled, the student and his or her parent(s)/guardian(s) shall be provided a written request to appear at a hearing to determine whether the student should be expelled. The request shall be sent by registered or certified mail, return receipt requested. The request should include:
 - a. The reasons for the proposed expulsion as well as the conduct rule the student is charged with violating.
 - b. The time, date, and place for the hearing.
 - c. A short description of what will happen during the hearing.
 - d. A statement indicating that The School Code allows the School Board to expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case by case basis.
 - e. A request that the student or parent(s)/guardian(s) inform the District if the student will be represented by an attorney and, if so, the attorney's name.
2. Unless the student and parent(s)/guardian(s) indicate that they do not want a hearing or fail to appear at the designated time and place, the hearing will proceed. It shall be conducted by the School Board or a hearing officer appointed by it. If a hearing officer is appointed, he or she shall report to the Board the evidence presented at the hearing and the Board shall take such final action as it finds appropriate.
3. During the expulsion hearing, the Board or hearing officer shall hear evidence concerning whether the student is guilty of the gross disobedience or misconduct as charged. The student and his or her parent(s)/guardian(s) may be represented by counsel, offer evidence, present witnesses, cross-examine witnesses who testified, and otherwise present reasons why the student should not be expelled. After presentation of the evidence or receipt of the hearing officer's report, the Board shall decide the issue of guilt and take such action as it finds appropriate.

LEGAL REF.: 105 ILCS 5/10-22.6(a)
Goss v. Lopez, 95 S.Ct. 729 (1975).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline), 7:200 (Suspension Procedures), 7:230, (Misconduct by Students with Disabilities)

ADOPTED: October 14, 2009

7:210E

STUDENTS

EXPULSION NOTIFICATION LETTER

(Date)
(Inside Address)
Dear:

This letter is to inform you that I will recommend to the Board of Education that it expel (Name of Student) from school for (insert a definite period of time not to exceed two (2) school years) or (any shorter period of time) due to (his) (her) gross disobedience or misconduct, specifically, (Here describe gross disobedience or misconduct). The expulsion would commence immediately upon action of the Board of Education. You are requested to appear at an expulsion hearing on _____, 19____, at _____ p.m. before (the Board of Education) or (a hearing officer appointed by the Board of Education) to consider your child's behavior. The location of the hearing will be _____. At that time, you may also request that the Board of Education review your child's current ten (10) day suspension from school. (Because your child is eligible for special education within the meaning of the Education for all Handicapped Children Act and Article 14 of *The School Code*, you are entitled to all of your rights under those two laws. Included please find a booklet which described those rights. If you have any questions regarding your special education rights, please contact _____.)

You have the right to be represented at the suspension review/expulsion hearing by an attorney or other representative of your choice. If you are going to be represented at the hearing, please notify us by _____ of the name of your representative.

Enclosed please find a copy of the School District's suspension review/expulsion hearing procedures. If you have any questions, please contact the undersigned.

Sincerely,

(Authorized Administrator)

Enclosure

STUDENTS

Adm. Reg. 7:210

STUDENTS - Discipline
General Procedures for Suspension Review/Expulsion Hearings

Hearing Structure

- A. A suspension review hearing shall be conducted as follows:
 - 1. Step One - A hearing officer appointed by the superintendent will conduct a review of the evidence and conduct a hearing
 - 2. Step Two - The superintendent will review the evidence and conduct a hearing.
 - 3. Step Three - The board will review the evidence and conduct a hearing.

Hearing Procedure

All student discipline hearing shall be held in executive session.

The student may attend the hearing with his parents and may be represented by an attorney or other representative. If the parents or student do not attend, but the authorized administrator has proof of notice given and received, the hearing officer or board may choose to proceed with or reschedule the hearing.

The hearing may be recorded stenographically or by tape. If either party causes a recordation to be made, the other party shall be offered an opportunity to purchase a copy of the transcript or the tape.

- D. The Board shall determine and make findings on the following two (2) issues at the hearing:

- The validity of the charges of gross disobedience or misconduct; and
 - The appropriate disciplinary measure, if the charges are to be upheld.

- E. If the student is a special education student, or asserts during a hearing that he may be a special education student, the Board must also follow the procedures set forth in policy 7:230 and Adm. Reg. 7:230.

- F. The Board may receive all relevant oral and/or written evidence without regard to the legal rules. of evidence, but shall consider the weight of the evidence in determining the issues

- G. If the authorized administrator determines that any witnesses would be subject to physical or mental harassment or that an emergency exists, the authorized administrator need not present his witness at the hearing, but may present as evidence a written summary prepared by the absent witness of his testimony. The summary shall include the reason for the witness' absence and a statement verifying that the contents of the summary are true. If an imminent fear of reprisal exists, the authorized administrator may also present a written statement in which the witness identity has been concealed.

- H. The Board shall not consider the student's academic or disciplinary records in determining the validity of the charges of gross disobedience or misconduct, except when the charge against a student relates to repeated incident of misbehavior. The Board may review a student's records, however, in determining the appropriate discipline.

SUSPENSION REVIEW/EXPULSION HEARING PROCEDURES

A student suspension review/expulsion hearing will be conducted according to the following procedures:

At the commencement of the hearing, either party may request the exclusion of witnesses.

The authorized administrator and the student may make short opening statements concerning both the charges of gross disobedience or misconduct and the appropriate discipline.

The authorized administrator shall first present his evidence. The student may cross-examine all witnesses in attendance and review any written evidence presented by the authorized administrator.

The student may then present evidence to refute the charges. The authorized administrator may cross-examine all witnesses in attendance and review any written evidence presented by the student.

The Board or its hearing officer may, at any time, direct questions to the parties or their witnesses.

The authorized administrator and the student may make closing statements at the conclusion of the hearing concerning both the issue of gross disobedience or misconduct and the issue of the appropriate discipline.

Board Policy

LESSER DISCIPLINARY MEASURES

Detention, Probation, in-school suspensions, removal from the classroom or other corrective procedures may be utilized for student disobedience, acts of minor misconduct or acts of intermediate misconduct.

1. Students shall be notified of the rules, as established by the School Board, principals, and classroom teachers, which will lead to imposition of lesser disciplinary measures if violated.
2. Students shall have no right of review by the Board of Education for the imposition of the lesser disciplinary measures of this Section.
3. A disciplinary report form shall be completed describing the misconduct and the corrective action taken. A copy shall be sent home to the parents and a copy maintained in the school office.

Students

Harassment of Students Prohibited

Bullying, Intimidation, and Harassment Prohibited

No person, including a District employee or agent, or student, shall harass, intimidate, or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable discharge status from military service; sex; sexual orientation; gender identity; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

Sexual Harassment Prohibited

Sexual harassment of students is prohibited. Any person, including a district employee or agent, or student, engages in sexual harassment whenever he or she makes sexual advances, requests sexual favors, and and/or engages in other verbal or physical conduct, including sexual violence, of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student's academic status; or
2. Has the purpose or effect of:
 - a. Substantially interfering with a student's educational environment;
 - b. Creating an intimidating, hostile, or offensive educational environment;
 - c. Depriving a student of educational aid, benefits, services, or treatment; or
 - d. Making submission to or rejection of such conduct the basis for academic decisions affecting a student.

The terms "intimidating," "hostile," and "offensive" include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities. The term *sexual violence* includes a number of different acts. Examples of sexual violence include, but are not limited to, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

Making a Complaint: Enforcement

Students are encouraged to report claims or incidences of bullying, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, or a Complaint Manager. A student may choose to report to a person of the student's same sex. Complaints will be kept confidential to the extent possible given the need to investigate. Students who make good faith complaints will not be disciplined.

An allegation that a student was a victim of any prohibited conduct perpetrated by another student shall be referred to the Building Principal, Assistant Building Principal for appropriate action.

The Superintendent shall insert into this policy the names, addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers. At least one of these individuals will be female, and at least one will be male.

Nondiscrimination Coordinator:

Ryan Swan, Asst. Supt.
Name
2710 N. St., Mt. Vernon, IL 62864
Address
rswan@mtv80.org
Email
618-244-8080
Telephone

Complaint Managers:

Ryan Swan, Asst. Supt.
Name
2710 N. St., Mt. Vernon, IL 62864
Address
rswan@mtv80.org
Email
618-244-8080
Telephone

Dee Ann Schnautz, Director of Curriculum
Name
2710 N. St., Mt. Vernon, IL 62864
Address
dschnautz@mtv80.org
Email
618-244-8080
Telephone

The Superintendent shall use reasonable measures to inform staff members and students of this policy, such as, by including it in the appropriate handbooks.

Any District employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action up to and including discharge. Any District student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the discipline policy. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Educational Amendments.
34 C.F.R. Part 106.
105 ILCS 5/10-20.12, 10-22.5, 5/27-1, and 5/27-23.7.
775 ILCS 5/1-101 et seq., Illinois Human Rights Act.
23 Ill.Admin.Code §1.240 and Part 200.
Davis v. Monroe County Board of Education, 119 S.Ct. 1661 (1999).
Franklin v. Gwinnett Co. Public Schools, 112 S.Ct. 1028 (1992).
Gebser v. Lago Vista Independent School District, 118 S.Ct. 1989 (1998).
West v. Derby Unified School District No. 260, 206 F.3d 1358 (10th Cir., 2000).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:20 (Workplace Harassment Prohibited), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Discipline), 7:240 (Conduct Code for Participants in Extracurricular Activities)

Adopted: October, 2014

Mount Vernon City Schools, District 80

7:180

Students

Prevention of and Response to Bullying, Intimidation, and Harassment

Bullying, intimidation, and harassment diminish a student's ability to learn and a school's ability to educate. Preventing students from engaging in these disruptive behaviors and providing all students equal access to a safe, non-hostile learning environment are important District goals.

Bullying on the basis of actual or perceived race, color, national origin, military status, unfavorable discharge status from the military service, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, order of protection status, status of being homeless, or actual or potential marital or parental status, including pregnancy, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic **is prohibited** in each of the following situations:

1. During any school-sponsored education program or activity.
2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities.
3. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.
4. Through the transmission of information from a computer that is accessed at a nonschool-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by a school district or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This item (4) applies only in cases in which a school administrator or teacher receives a report that bullying through this means has occurred and it does not require a district or school to staff or monitor any nonschool-related activity, function, or program.

Definitions from Section 27-23.7 of the School Code (105 ILCS 5/27-23.7)

Bullying includes *cyber-bullying* and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing the student or students in reasonable fear of harm to the student's or students' person or property;
2. Causing a substantially detrimental effect on the student's or students' physical or mental health;
3. Substantially interfering with the student's or students' academic performance; or
4. Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Cyber-bullying means bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communications. *Cyber-bullying* includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of *bullying*. *Cyber-bullying* also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of *bullying*.

Restorative measures means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, schools, and communities, and (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school.

School personnel means persons employed by, on contract with, or who volunteer in a school district, including without limitation school and school district administrators, teachers, school guidance counselors, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards.

Bullying Prevention and Response Plan

The Superintendent or designee shall develop and maintain a bullying prevention and response plan that advances the District’s goal of providing all students with a safe learning environment free of bullying and harassment. This plan must be consistent with the following requirements:

1. Using the definition of *bullying* as provided in this policy, the Superintendent or designee shall emphasize to the school community that: (1) the District prohibits bullying, and (2) all students should conduct themselves with a proper regard for the rights and welfare of other students. This may include a process for commending or acknowledging students for demonstrating appropriate behavior.
2. Bullying is contrary to State law and the policy of this District. However, nothing in the District’s bullying prevention and response plan is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the U.S. Constitution or under Section 3 of Article I of the Illinois Constitution.
3. Students are encouraged to immediately report bullying. A report may be made orally or in writing to the District Complaint Manager or any staff member with whom the student is comfortable speaking. Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to the District Complaint Manager or any staff member. Anonymous reports are also accepted.

Complaint Manager:

Ryan Swan, Asst. Supt.
Name
2710 N. St., Mt. Vernon, IL 62864
Address
rswan@mtv80.org
Email
618-244-8080
Telephone

Anonymous Reporting call: 618-244-8080

4. Consistent with federal and State laws and rules governing student privacy rights, the Superintendent or designee shall promptly inform parent(s)/guardian(s) of all students involved in an alleged incident of bullying and discuss, as appropriate, the availability of social work services, counseling, school psychological services, other interventions, and restorative measures.
5. The Superintendent or designee shall promptly investigate and address reports of bullying, by, among other things:
 - a. Making all reasonable efforts to complete the investigation within 10 school days after the date the report of the incident of bullying was received and taking into consideration additional relevant information received during the course of the investigation about the reported incident of bullying.
 - b. Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.
 - c. Notifying the Building Principal or school administrator or designee of the report of the incident of bullying as soon as possible after the report is received.
 - d. Consistent with federal and State laws and rules governing student privacy rights, providing parents and guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the principal or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.

The Superintendent or designee shall investigate whether a reported act of bullying is within the permissible scope of the District’s jurisdiction and shall require that the District provide the victim with information regarding services that are available within the District and community, such as counseling, support services, and other programs.

6. The Superintendent or designee shall use interventions to address bullying, which may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.
7. A reprisal or retaliation against any person who reports an act of bullying **is prohibited**. A student’s act of reprisal or retaliation will be treated as *bullying* for purposes of determining any consequences or other appropriate remedial actions.

8. A student will not be punished for reporting bullying or supplying information, even if the District’s investigation concludes that no bullying occurred. However, knowingly making a false accusation or providing knowingly false information will be treated as *bullying* for purposes of determining any consequences or other appropriate remedial actions.
9. The District’s bullying prevention and response plan must be based on the engagement of a range of school stakeholders, including students and parents/guardians.
10. The Superintendent or designee shall post this policy on the District’s Internet website, if any, and include it in the student handbook, and, where applicable, post it where other policies, rules, and standards of conduct are currently posted. The policy must also be distributed annually to parents/guardians, students, and school personnel, including new employees when hired.
11. The Superintendent or designee shall assist the Board with its evaluation and assessment of this policy’s outcomes and effectiveness. This process shall include, without limitation:
 - a. The frequency of victimization;
 - b. Student, staff, and family observations of safety at a school;
 - c. Identification of areas of a school where bullying occurs;
 - d. The types of bullying utilized; and
 - e. Bystander intervention or participation.

The evaluation process may use relevant data and information that the District already collects for other purposes. The Superintendent or designee must post the information developed as a result of the policy evaluation on the District’s website, or if a website is not available, the information must be provided to school administrators, Board members, school personnel, parents/guardians, and students.

12. The District’s bullying prevention plan must be consistent with other Board policies.
13. The Superintendent or designee shall fully inform staff members of the District’s goal to prevent students from engaging in bullying and the measures being used to accomplish it. This includes each of the following:
 - a. Communicating the District’s expectation and State law requirement that teachers and other certificated or licensed employees maintain discipline.
 - b. Establishing the expectation that staff members: (1) intervene immediately to stop a bullying incident that they witness or immediately contact building security and/or law enforcement if the incident involves a weapon or other illegal activity, (2) report bullying, whether they witness it or not, to an administrator, and (3) inform the administration of locations on school grounds where additional supervision or monitoring may be needed to prevent bullying.
 - c. Where appropriate in the staff development program, providing strategies to staff members to effectively prevent bullying and intervene when it occurs.
 - d. Establishing a process for staff members to fulfill their obligation to report alleged acts of bullying.

LEGAL REF.: 405 ILCS 49/, Children’s Mental Health Act.
105 ILCS 5/10-20.14, 5/24-24, and 5/27-23.7.
23 Ill.Admin.Code §§1.240 and §1.280.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 4:170 (Safety), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Discipline), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:285 (Food Allergy Management Program), 7:310 (Restrictions on Publications)

ADOPTED: October 8, 2014

Students

Administrative Procedure - Harassment of Students Prohibited

Actor	Action
Building Principal or Designee	<p>Distribute and publicize Board policy 7:180, <i>Harassment of Students Prohibited</i>, and Board policy 2:260, <i>Uniform Grievance Procedure</i> using various methods. Take measures to prevent harassment of students, including:¹⁹</p> <ol style="list-style-type: none"> 1. Conduct periodic harassment awareness training for all school staff, including administrators, teachers, and guidance counselors. 2. Conduct periodic age-appropriate harassment awareness training for students. 3. Establish discussion groups in which students can discuss what constitutes harassment and how to respond to it in the school setting. 4. Survey students to determine if harassment is occurring at school. 5. Conduct periodic harassment awareness training for parents/guardians. 6. Work with parents/guardians and students to develop and implement age-appropriate, effective measures for addressing harassment. 7. Determine when extra supervision and precaution should be taken, such as, when: two or more students seem to be in conflict with each other; there have been previous incidents of harassment, sexual assaults, threats, or bullying around perceived sexual orientation; or a specific student has had prior disciplinary violations. 8. Have a process in place to: (1) inform all relevant staff members who are responsible for supervising a student with a history of violent or sexually inappropriate behavior, and (2) keep the student constantly supervised. 9. Regularly train staff regarding: (1) their classroom and non-classroom supervisory responsibilities, e.g., during a school-sponsored event, before and after school, while students wait for the school bus, between classes, during lunch, and at recess, (2) behaviors that may be an indicator of sexual or physical violence against another student, and (3) what to do when they observe an unusual and disruptive student. 10. Identify areas in the school building that are isolated (e.g., restrooms, locker rooms, hallways while classes are in session, stairwells, and empty rooms) and take extra steps to make them safe. 11. Immediately notify the police and relevant parents/guardians when an assault or attempted assault has occurred.
Nondiscrimination Coordinator and/or Grievance Complaint Manager	<p>Thoroughly and promptly investigate allegations of harassment by:</p> <ol style="list-style-type: none"> 1. Distributing Board policy 2:260, <i>Uniform Grievance Procedure</i>, to any person upon request; 2. Following Board policy 2:260, <i>Uniform Grievance Procedure</i>;

¹⁹ See the U.S. Department of Education's pamphlet, "Sexual Harassment: It's Not Academic," <http://ed.gov/about/offices/list/ocr/docs/ocrshpam.html>. In addition to being strong preventative measures, taking the steps listed in this procedure will provide a district with good evidence to defend a lawsuit alleging sexual harassment.

Actor	Action
	3. Notifying a student’s parents/guardians that they may attend any investigatory meetings in which their child is present; 4. Keeping the complaining parents/guardians informed of any investigation’s progress; and 5. Keeping confidential all information about an investigation and the statements of students and other witnesses. The Superintendent shall be kept informed of an investigation’s progress.
All District Staff Members	Immediately report to the Illinois Department of Children and Family Services any situation that provides you with reasonable cause to believe that a child may be an abused child or a neglected child. Promptly notify the Superintendent and Building Principal that you made a report.

Adm. Reg. 5:20 (c)

Personnel

Administrative Procedure – Sexual Misconduct

Mount Vernon City Schools, District 80 will not tolerate and will seek to eradicate any behavior by its employees, volunteers or students, which constitutes Sexual Misconduct toward another employee, volunteer, or student. “Sexual Misconduct” means any actual, attempted or alleged sexual molestation, assault, abuse, sexual exploitation or sexual injury. “Sexual Misconduct” does not include “sexual harassment.”

Reporting Procedures and Designated Child Abuse Counselor

It is the express policy of the District to encourage victims of Sexual Misconduct, and their parents or guardians in the case of minors, to come forward with such claims. The District has designated the Assistant Superintendent as the Designated Child Abuse Counselor who shall remain accountable for the implementation and monitoring of this policy. The identity of the Designated Child Abuse Counselor shall remain on file with the District. In order to conduct an immediate investigation, any incident of Sexual Misconduct must be reported as quickly as possible in confidence, as follows:

1. **Employees and Volunteers**
Employees and volunteers are required to report any known or suspected incidents of sexual misconduct according to the Illinois mandatory reporting guidelines. They must also report to their direct supervisor, the building principal or the Designated Child Abuse Counselor. If the report is made to the supervisor or building principal, that individual shall immediately notify the Designated Child Abuse Counselor. If the person to whom an employee or volunteer is directed to report is the offending person, the report should be made to the next higher level of administration or supervision.
2. **Students**
Each year, parents or legal guardians of students shall be advised of the contents of this Sexual Misconduct Policy and be instructed to report any incident of known or suspected sexual misconduct to a guidance counselor, the building principal or the Designated Child Abuse Counselor, unless that individual is the offending person. If the complaint is made to the guidance counselor or the building principal, that individual shall follow Illinois mandatory reporting policy and immediately notify the Designated Child Abuse Counselor.

All formal complaints will be given a full, impartial and timely investigation. During such investigation, while every effort will be made to protect the privacy rights of all parties; confidentiality cannot be guaranteed.

Discipline

Any District employee or volunteer who is determined, after an investigation, to have engaged in sexual misconduct in violation of this policy will be subject to disciplinary action up to and including discharge. Any student of the District who is determined, after an investigation, to have engaged in sexual misconduct in violation of this policy will be subject to disciplinary action, including suspension and expulsion.

False accusations regarding sexual misconduct will not be tolerated, and any person knowingly making a false accusation will likewise be subject to disciplinary action up to and including discharge, with regard to employees or volunteer, or suspension and expulsion, with regard to students.

The District will discipline any individual who retaliates against any person who reports alleged sexual misconduct or who retaliates against any person who testifies, assists or participates in an investigation, a proceeding or a hearing relating to sexual harassment complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

Child Abuse

Sexual abuse of a minor is a crime.

Child Abuse Incident Reporting and Follow-up

Any case of known or suspected child abuse of a minor must be reported immediately in compliance with Illinois mandatory reporting guidelines and to the Designated Child Abuse Counselor, a police officer or the State's Attorney's Office.

In the event that Designated Child Abuse Counselor is first notified of an incident of known or suspected child abuse, the Designated Child Abuse Counselor shall immediately notify the child's parent or legal guardian as the case be, and the appropriate legal authorities as required by state or local law. The Designated Child Abuse Counselor shall prepare a Suspected Child Abuse Standard Report and immediately follow-up to investigate the incident and to ascertain the condition of the child. The Designated Child Abuse Counselor is encouraged to communicate any questions or concerns about any incident with legal counsel for the District.

Any employee or volunteer involved in a reported incident of Sexual Misconduct or child abuse shall be immediately relieved of responsibilities that involve interaction with minors or shall be suspended, as determined by the District Board. Reinstatement of employees or volunteers involved in a reported incident of child abuse shall occur only after all allegations of child abuse have been cleared by the District.

Maintenance of Records and Documents

The Designated Child Abuse Coordinator shall maintain all records and documentation required by law or otherwise required by this and other such related policies of the District including all documents related to procedures for hiring-screening, employee/volunteer code of conduct, training, sign-in/sign-out, pick-up and release procedures, incident reporting follow-up and disciplinary action.

Policy Review

This policy is to be reviewed and signed by all employees and volunteers who have or may have children assigned to their care, custody or control.

Students

Administering Medicines to Students

Students should not take medication during school hours or during school-related activities unless it is necessary for a student's health and well-being. When a student's licensed health care provider and parent/guardian believe that it is necessary for the student to take a medication during school hours or school-related activities, the parent/guardian must request that the school dispense the medication to the child and otherwise follow the District's procedures on dispensing medication.

No School District employee shall administer to any student, or supervise a student's self-administration of, any prescription or non-prescription medication until a completed and signed "School Medication Authorization Form" is submitted by the student's parent/guardian. No student shall possess or consume any prescription or non-prescription medication on school grounds or at a school-related function other than as provided for in this policy and its implementing procedures.

Nothing in this policy shall prohibit any school employee from providing emergency assistance to students, including administering medication.

The Building Principal shall include this policy in the Student Handbook and shall provide a copy to the parents/guardians of students.

Self-Administration of Medication

A student may possess an epinephrine auto-injector (EpiPen®) and/or asthma medication prescribed for use at the student's discretion, provided the student's parent/guardian has completed and signed a *School Medication Authorization Form*. The School District shall incur no liability, except for willful and wanton conduct, as a result of any injury arising from a student's self-administration of medication or epinephrine auto-injector or the storage of any medication by school personnel. A student's parent/guardian must indemnify and hold harmless the School District and its employees and agents, against any claims, except a claim based on willful and wanton conduct, arising out of a student's self-administration of an epinephrine auto-injector and/or medication, or the storage of any medication by school personnel.

LEGAL REF.: 105 ILCS 5/10-20.14b, 5/10-22.21b, and 5/22-30.

CROSS REF.: 7:285 (Food Allergy Management)

ADOPTED: January 24, 2015

Students

Adm. Reg. 7:270 (a)

Administrative Procedure - Dispensing Medication

Actor	Action
Parents/Guardians	<p>Ask the child’s physician, dentist, or other health care provider who has authority to prescribe medications if a medication, either prescription or non-prescription, must be administered during the school day. “Medications” includes an epinephrine auto-injector (“EpiPen®”) and asthma inhaler medication.</p> <p>If so, ask the health care provider to complete a “School Medicine Authorization Form.” This form must be completed and given to the school before the school will store or dispense any medication and before your child may possess asthma medication or an EpiPen®.</p> <p>If a student is on a medication indefinitely, the parent/guardian must file a new “School Medication Authorization Form” every year.</p> <p>Bring the medication to the school office. If the medicine is for asthma or is an EpiPen®, a student may keep possession of it for immediate use at the student’s discretion.</p> <p>Bring prescription medication to the school in the original package or appropriately labeled container. The container shall display:</p> <ul style="list-style-type: none">Student’s namePrescription numberMedication name and dosageAdministration route and/or other directionDates to be takenLicensed prescriber’s namePharmacy name, address, and phone number <p>Bring non-prescription medications to school in the manufacturer’s original container with the label indicating the ingredients and the student’s name affixed.</p> <p>At the end of the treatment regime, remove any unused medication from the school.</p>
School Office Personnel	<p>Provide a copy of these procedures, as well as a “School Medication Authorization Form,” to inquiring parents/guardians.</p> <p>Whenever a parent/guardian brings medication for a student to the office, summon the school nurse.</p> <p>If the school nurse is unavailable, accept the medication, provided the parent/guardian submits a completed “School Medication Authorization Form” and the medication is packaged in the appropriate container.</p> <p>Put the medication in the appropriate locked drawer or cabinet. Tell the school nurse about the medication as soon as possible.</p>

Actor	Action
<p>School Nurse (certificated school nurse or non-certificated registered professional nurse)</p>	<p>Ensure that a parent/guardian who brings medication for his or her child has complied with the parent/guardian’s responsibilities as described in this administrative procedure.</p> <p>In conjunction with the licensed prescriber and parent/guardian, identify circumstances, if any, in which the student may self-administer the medication and/or carry the medication. A student will be permitted to carry and self-administer medication for asthma or an EpiPen®.</p> <p>Store the medication in a locked drawer or cabinet. A student may keep possession of medication for asthma or an EpiPen®. Medications requiring refrigeration should be refrigerated in a secure area.</p> <p>Plan with the student the time(s) the student should come to the nurse’s office to receive medications.</p> <p>Document each dose of the medication in the student’s individual health record. Documentation shall include date, time, dosage, route, and the signature of the person administering the medication or supervising the student in self-administration.</p> <p>Assess effectiveness and side effects as required by the licensed prescriber. Provide written feedback to the licensed prescriber and the parent/guardian as requested by the licensed prescriber.</p> <p>Document whenever the medication is not administered as ordered along with the reasons.</p> <p>If the parent/guardian does not pick up the medication by the end of the school year, discard the medication in the presence of a witness.</p>
<p>Building Principal</p>	<p>Supervise the use of these procedures.</p> <p>Perform any duties described for school office personnel, as needed.</p> <p>Perform any duties described for school nurses, as needed, or delegate those duties to appropriate staff members. No staff member shall be required to administer medications to students, except school nurses, non-certificated and registered professional nurses, and administrators.</p> <p>Make arrangements, in conjunction with the parent/guardian, supervising teachers, and/or bus drivers for the student to receive needed medication while on a field trip. Unless these arrangements can be made, the student must forego the field trip.</p>

LEGAL REF.: 105 ILCS 5/10-20.14b, 5/10-22.21b, and 5/22-30.

MOUNT VERNON CITY SCHOOLS, DISTRICT 80

2710 North Street
Mt. Vernon, IL 62864
Telephone: 244-8080

SELF-ADMINISTRATION OF ASTHMA MEDICATION FORM
(PARENT OR GUARDIAN)

Pursuant to the *School Code*, the School District will permit the self-administration of medication by a student with asthma, if the following documents are provided by the student's parents or guardians:

1. Written authorization, signed by the parent or guardian; and
2. A written statement from the student's physician, physician assistant or advanced practice registered nurse, containing the following information:
 - A. The name and purpose of the medication;
 - B. The prescribed dosage; and
 - C. The time or times at which or the special circumstances under which the medication is to be administered;
 - D. The side effects of the medication, if any.

By signing this document, you authorize the School District to permit your child to self-administer his or her asthma medication. The School District and its employees and agents will incur no liability, except for willful and wanton conduct, as a result of any injury arising from the student's self-administration of the medication.

Student's Name _____

Student's Address _____

School Attended _____

The undersigned, being the parent or guardian of the student named above, authorizes the School District to permit the student to self-administer his or her asthma medication. I acknowledge that the School District and its employees and agents will incur no liability, except for willful and wanton conduct, as a result of any injury arising from the student's self-administration of the medication. I agree to indemnify and hold harmless the School District and its employees and agents against any and all claims, except claims based on willful and wanton conduct, arising out of the self-administration of medication by the student.

Signature of Parent/Guardian _____ Date _____

Name of Parent/Guardian (Please Print) _____

Street Address _____

City/State _____ Zip Code _____

Daytime Phone Number _____

Exhibit - School Medication Authorization Form

To be completed by the child's parent(s)/guardian(s). A new form must be completed every school year. Keep in the school nurse's office or, in the absence of a school nurse, the Building Principal's office.

Student's Name: _____ Birth Date: _____
 Address: _____
 Home Phone: _____ Emergency Phone: _____
 School: _____ Grade: _____ Teacher: _____

To be completed by the student's physician, physician assistant, or advanced practice RN:

Physician's Printed Name: _____
 Office Address: _____
 Office Phone: _____ Emergency Phone: _____
 Medication name: _____
 Purpose: _____
 Dosage: _____ Frequency: _____
 Time medication is to be administered or under what circumstances: _____

Prescription date: _____ Order date: _____ Discontinuation date: _____

Diagnosis requiring medication: _____

Is it necessary for this medication to be administered during the school day ? Yes No

Expected side effects, if any: _____

Time interval for re-evaluation: _____

Other medications student is receiving: _____

 Physician's signature

 Date

For only parents/guardians of students who need to carry asthma medication or an EpiPen®:

I authorize the School District and its employees and agents, to allow my child or ward to possess and use his or her asthma medication and/or epinephrine auto-injector: (1) while in school, (2) while at a school-sponsored activity, (3) while under the supervision of school personnel, or (4) before or after normal school activities, such as while in before-school or after-school care on school-operated property. Illinois law requires the School District to inform parent(s)/guardian(s) that it, and its employees and agents, incur no liability, except for willful and wanton conduct, as a result of any injury arising from a student's self-administration of medication or epinephrine auto-injector (105 ILCS 5/22-30).

If you agree please initial: _____
 Parent(s)/guardian(s)

For all parents/guardians:

By signing below, I agree that I am primarily responsible for administering medication to my child. However, in the event that I am unable to do so or in the event of a medical emergency, I hereby authorize the School District and its employees and agents, in my behalf, to administer or to attempt to administer to my child (or to allow my child to self-administer, while under the supervision of the employees and agents of the School District), lawfully prescribed medication in the manner described above. **I acknowledge that it may be necessary for the administration of medications to my child to be performed by an individual other than a school nurse and specifically consent to such practices,** and

I agree to indemnify and hold harmless the School District and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of the administration or the child's self-administration of medication.

Parent/Guardian printed name

Parent/Guardian printed name

Parent/Guardian signature*

Date

Parent/Guardian signature*

Date

** Both parents and/or guardians, if available, should sign.*

7:280

Students

Communicable and Chronic Infectious Disease

The Board of Education of Mount Vernon City Schools, District 80 recognizes that the student with a chronic infectious disease is eligible for all rights, privileges, and services provided by law and the District's policies. The District shall balance the individual's rights with the District's obligation to protect the health of all District students. This policy does not apply to special education students because they are covered under the rules and regulations governing special education students as outlined in Public Law 94-142.

Adm. Reg. 7:280a

Chronic Infectious Disease Review Team

The Board of Education further recognizes that the management and control of a school environment free from communicable and chronic infectious disease require the cooperation and effort of the school staff and community. In order to promote and ensure appropriate student health standards, a Mount Vernon City Schools Chronic Infectious Disease Review Team shall be appointed by the board. Team members shall include a physician advisor, a faculty member selected by the administration, the school nurse, the Principal, and the superintendent. The superintendent shall be authorized to convene the Chronic Infectious Disease Review Team.

The responsibilities of the Chronic Infectious Disease Review Team shall be determined by the Board of Education and shall include the responsibility:

1. to review, on an individual basis, the medical history of the student who has a communicable or chronic infectious disease;
2. to recommend to the superintendent modifications to the student's day or program, as necessary, to protect public health;
3. to recommend the possible temporary exclusion of the student from his or her regular educational setting;
4. to recommend when the student may return to his or her regular educational setting;
5. to recommend additional rules and/or procedures concerning hygiene designed to reduce or eliminate the risks of transmission of the infectious disease.

the Chronic Infectious Disease Review Team shall be guided by the policies of the school board, rules and regulations promulgated by the Illinois Department of Public Health, and all other pertinent public health information and relevant state and federal laws and regulations, and shall consult the student, the parents, and the student's personal physician and public health authorities before taking any action or making any recommendations. In cases where there is a dispute between the personal physician and public health officials, the Chronic Infectious Disease Review Team shall be guided by the advice of public health officials.

In the exercise of its responsibilities, the Chronic Infectious Disease Review Team shall respect the privacy rights of each student and take such precautions as may be necessary to secure the student's privacy.

The following policy will be instituted when the District is made aware that a student of the District has a chronic infectious disease:

Students with chronic infectious diseases should be allowed to attend school in a regular classroom setting except when certain conditions related to the infectious disease are present as determined by the Chronic Infectious Disease Review Team. In making such a determination, the Chronic Infectious Disease Review Team should base its decision upon reasonable medical judgment, given the current state of medical knowledge about (a) the nature of the risk (how the disease is transmitted); (b) the duration of the risk (how long the carrier is infectious); (c) the severity of the risk (what is the potential harm to third persons); and (d) the possibility the disease will be transmitted and will cause varying degree of harm.

1. The school should respect the right to privacy of the individual; therefore, knowledge that a student has an infectious disease should be confined to those persons with a direct need to know. Those persons should be provided with appropriate information concerning such precautions as may be necessary. Furthermore, no school employee shall disclose or attempt to learn information about the medical history of a student unless he/she has a current educational need to know and is authorized by the administration.
2. Each student shall have the right to due process. If the parents or guardians disagree with the decision of the Chronic Infectious Disease Review Team, there shall be a process by which such objections can be considered including, at a minimum, notice and an opportunity to be heard. Parents or guardians shall be offered the opportunity to appeal to the board within ten (10) days of their notification of the decision of the Chronic Infectious Disease Review Team. The decisions, which are subject to an appeal, are limited to those changing a student's program from the regular school day or refusing to change it upon parental request.
3. The maintenance of confidentiality is of the utmost importance; school board meetings to discuss matters relating to an individual student shall be closed.

4. Individual health conditions permitting, a student who is removed from the school should be provided with a continuing education program until it is determined that the student can be safely returned to the classroom. The school district should take reasonable steps to ensure that the student's educational progress is maintained. However, if a student becomes health impaired under special education regulations, then his/her placement status may only be determined in accordance with special education procedures. At that point the student shall not be subject to the Chronic Infectious Disease Review Team.
5. The school nurse should routinely monitor all students identified as having infectious diseases.
 - a. Students in classroom attendance should be monitored as recommended by the Chronic Infectious Disease Review Team in order to determine if their behavior or medical condition has changed in such a way as to affect their contagious status.
 - b. When a student is removed from normal school attendance, the student shall be placed on a monitoring schedule appropriate to the infectious disease and the condition precipitating the removal or change, for the purpose of alternative educational programming or reintegrating the student into the public school setting. The case of any student excluded from school under this policy should be reviewed at least every thirty (30) days.
 - c. Students with infectious disease shall be educated in the least restrictive environment possible, and even those students whose behavior or physical condition precludes school attendance shall be evaluated for return to the classroom.
6. Routine and standard procedures of cleanliness and hygiene shall be used to clean up after any student who has an accident or injury at school. Blood or other body fluids emanating from any student, including ones known to have infectious diseases, should be treated cautiously. All school staff shall be instructed regarding the hygienic procedures necessary to maintain a safe, clean school environment in accordance with the universal precautions as established by the Center for Disease Control and/or the Illinois Department of Public Health.

Leg. Ref.:

Board Policy

Adm. Reg. 7:280b

COMMUNICABLE DISEASES
STUDENT CHRONIC AND INFECTIOUS DISEASE

When the District is made aware that a student of the District has a chronic infectious disease, the following procedures will be implemented:

1. The superintendent will inform the Chronic Infectious Disease Review Team within three (3) calendar days of being notified that a student has been diagnosed as having a chronic infectious disease.
2. The Chronic Infectious Disease Review Team will meet within three (3) calendar days for the purpose:
 - a. of meeting with the student and/or a member of the student's family to review the status of the student's health;
 - b. of evaluating the student's medical condition and submitting a written report with recommendations to the superintendent.
3. The student and a member of the student's family will receive a report of the Chronic Infectious Disease Review Team's evaluation from the superintendent.
4. The student's health condition will be reviewed on a schedule determined by the Chronic Infectious Disease Review Team. The team's student status report will be given to the superintendent.
5. Each status report will indicate a recommendation regarding:
 - a. attendance in the regular classroom setting;
 - b. additional rules and/or procedures concerning hygiene designed to reduce or eliminate the risk of transmission of the infectious disease and thereby allow for regular attendance;
 - c. alternative school programs; or
 - d. removal from the school setting for a period of time.
6. The superintendent, after reviewing the team's report and recommendations and other significant evidence, shall make the final decision reviewable by the Board of Education.
7. The student and a member of the student's family shall be notified of the superintendent's decision. Within ten (10) calendar days the student and the student's family may request in writing that a hearing be scheduled with the school board.
8. The medical records shall become part of the student's permanent file and shall be held in strictest confidence and shared only with those persons designated by the chronic Infectious Disease Review Team.

Implementation and Maintenance

The superintendent or the superintendent's designee shall be responsible for communicating and explaining the district's chronic infectious disease policies and procedures to school district personnel, parents, students, and community persons.

The school nurse shall coordinate the District's infectious disease program and shall:

1. disseminate and explain infectious disease policies and procedures for school personnel, parents, and students;
2. provide health education and health counseling regarding infectious diseases;
3. orient, instruct, and supervise the maintenance of hygienic procedures;
4. develop the health component of the student's educational plan;
5. recommend modification of the school's program for infected students as needed;
6. act as the liaison between the school, home, community health agencies, and the private medical sector;

7. keep up with current information, rules and regulations, policies, and procedures relating to infectious diseases.

Care of Students with Diabetes

If you child has diabetes and requires assistance with managing this condition while at school and school functions, a Diabetes Care Plan must be submitted to the school principal. Parents/guardians are responsible for and must:

- a. Inform the school in a timely manner of any change which needs to be made to the Diabetes Care Plan on file with the school for their child.
- b. Inform the school in a timely manner of any changes to their emergency contact numbers or contact numbers of health care providers.
- c. Sign the Diabetes Care Plan.
- d. Grant consent for and authorize designated School District representatives to communicate directly with the health care provider whose instructions are included in the Diabetes Care Plan.

For further information, please contact the Building Principal.

STUDENTS

6:280

STUDENTS

Academic Achievement – Grading and Promotion

The Superintendent shall establish a system of grading and reporting academic achievement to students and their parents/guardians. The system shall also determine when promotion requirements are met. The decision to promote a student to the next grade level shall be based on successful completion of the curriculum, attendance, performance based on the Illinois Standards Achievement Tests, or other testing. A student shall not be promoted based upon age or any other social reason not related to academic performance. The administration shall determine remedial assistance for a student who is not promoted.

Every teacher shall maintain an evaluation record for each student in the teacher's classroom. A District administrator cannot change the final grade assigned by the teacher without notifying the teacher. Reasons for changing a student's final grade include:

- A miscalculation of test scores,
- A technical error in assigning a particular grade or score,
- The teacher agrees to allow the student to do extra work that may impact the grade,
- An inappropriate grading system used to determine the grade, or
- An inappropriate grade based on an appropriate grading system.

Should a grade change be made, the administrator making the change must sign the changed record.

Promotion and Retention Guidelines

1. The greater majority of pupils should be promoted, but automatic promotion of all pupils cannot be justified.
2. Pupils who seem to be potential retention cases shall be studied with a view toward making the best possible decision, and each case shall be decided on its own merits. Every District 80 student in grades 1 through 8 that is considered a candidate for retention will go through the referral process. This referral should be made no later than the first week of the fourth quarter. A psychological evaluation should be conducted for kindergarten students if it is recommended by the parents and District staff.
3. In striving to reach a decision in regard to each case, the following shall be considered:
The possible effects of retention;
The likelihood of gain resulting from retention;
Results from a psychological evaluation;
Results of standardized tests.
4. Retention is justifiable in cases where achievement is far below standard if this is caused by any of the following:
 - a. Chronic absenteeism that is, being absent from school without valid cause for more than 10% of the 180 days of scheduled school;
 - b. Demonstrable lack of effort by capable students;
 - c. Physical immaturity.

5. Automatic retention because of failure to meet certain standards without regard to any other factor cannot be justified.
6. The decision to retain a pupil shall not be the sole responsibility of the teacher. The teacher should consult the Principal as soon as the teacher believes there is a possibility for retention. The Principal and teacher should consult other certified staff members and the parent through the Instructional Support Team to explore and outline possible remediation activities that might avoid retention.
7. The teacher will notify parents in writing as soon as the teacher believes that there is a possibility for retention. This written notice should contain the teacher's recommendation to schedule a parent/teacher conference to discuss the possibility of the retention. A copy of this written notice must be placed in the student's temporary record.
8. If retention is found to be advisable, a sincere attempt shall be made to obtain the agreement of the parents; but parents will not hold the veto power at any grade level from first through grade eight.
9. Retention shall be restricted to the primary grades as much as possible.
10. Pupils should seldom be retained more than once in their elementary school career based on current available information. A decision to retain may be revisited if additional information is discovered such as previous retentions in other districts. If relevant information is discovered, the Instructional Support Team should re-convene to re-evaluate the decision of retention.
11. Repeated retention of pupils of low intelligence is not justifiable.

LEGAL REF.: 105 ILCS 5/10-20.9a, 5/10-21.8, and 5/27-27.

CROSS REF.: 6:300 (Graduation Requirements), 7:50 (School Admissions and Student Transfers To and From Non-District Schools)

STUDENTS

4:140

Operational Services

Waiver of Student Fees ²⁰

The Superintendent will recommend to the Board for adoption what fees, if any, will be charged for the use of textbooks, consumable materials, extracurricular activities, and other school fees. Students will pay for loss of school books or other school-owned materials.

Fees for textbooks, other instructional materials, and driver education are waived for students who meet the eligibility criteria for fee waiver contained in this policy. ²¹ In order that no student be denied educational services or academic credit due to the inability of parents/guardians to pay fees and charges, the Superintendent will recommend to the Board for

²⁰ State or federal law requires this subject matter be covered by policy (105 ILCS 5/10-20.13). State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled (see footnotes 2 and 3).

²¹ Districts must waive textbooks fees (105 ILCS 5/10-20.13) and driver education fees (105 ILCS 5/27-23) for students whose parents/guardians are unable to afford them. In order to effectuate the law's intent, the term "textbook" should be interpreted broadly to include fees for instructional materials, laboratory fees, and workbooks. The enforceability of 105 ILCS 5/10-20.13(b) and implementing ISBE regulations (23 Ill.Admin.Code §1.245) requiring districts to waive "other fees" are questionable because they are unfunded mandates. According to an 8-5-91 letter from the State Superintendent to all superintendents, ISBE regulations on school fees will not be enforced because the General Assembly failed to make necessary appropriations (see also the Weekly Message from State Superintendent Robert Schiller, 8-15-03).

A school district may charge up to \$50 for district residents between 15 and 21 years of age who participate in the driver education course. The fee must be waived for any such resident who is unable to pay. When space permits, the district also may provide driver education for residents above age 55 who have never been licensed to drive and may charge a fee not to exceed actual costs of the course (105 ILCS 5/27-23).

Resident tuition fees are not permissible. Hamer v. Board of Education, School District No. 109, 292 N.E.2d 569 (Ill.App. 2, 1977); Polzin v. Rand, McNally & Co., 95 N.E. 623 (1911).

adoption what additional fees, if any, the District will waive for students who meet the eligibility criteria for fee waiver. ²² Students receiving a fee waiver are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment. ²³

The Superintendent shall ensure that applications for fee waivers are widely available and distributed according to State law and ISBE rule, and that provisions for assisting parents/guardians in completing the application are available.

A student shall be eligible for a fee waiver when:

The student is currently eligible for free lunches or breakfasts pursuant to 105 ILCS 125/1 et seq.; or ²⁴

The student or student's family is currently receiving aid under Article IV of The Illinois Public Aid Code (Aid to Families with Dependent Children). ²⁵

The Building Principal will give additional consideration where one or more of the following factors are present: ²⁶

Illness in the family;

Unusual expenses such as fire, flood, storm damage, etc.;

Seasonal unemployment;

Emergency situations;

When one or more of the parents/guardians are involved in a work stoppage.

The parent(s)/guardian(s) shall submit written evidence of eligibility for waiver of the student's fee.

The Building Principal will notify the parent(s)/guardian(s) promptly as to whether the fee waiver request has been granted or denied. A Building Principal's denial of a fee waiver request may be appealed to the Superintendent by submitting the appeal in writing to the Superintendent within 14 days of the denial. ²⁷ The Superintendent or designee shall respond within 14 days of receipt of the appeal. The Superintendent's decision may be appealed to the School Board. The decision of the Board is final and binding.

Questions regarding the fee waiver request process should be addressed to the Building Principal's office.

LEGAL REF.: 105 ILCS 5/10-20.13 and 5/10-22.25.

23 Ill.Admin.Code §1.245 [unenforceable].

STUDENTS

STUDENTS

Adm. Reg. 4:140

Administrative Procedure – Fines, Fees and Charges – Waiver of Student Fees

Annual Public Announcement

1. Letter to Parents

The School District shall announce its waiver of student fees policy on or about the beginning of every school year and whenever there is a change in the policy. Each parent(s)/guardian(s) will receive a letter regarding the waiver of student fees including the current income scale eligibility and an application form. Any parent(s)/guardian(s) enrolling a child in a school for the first time, at any time during the school year, shall be supplied with such documents.

2. Public Release

A public release containing the same information supplied to parent(s)/guardian(s) shall be made available to the medical on or about the beginning of each school year and whenever there is a change in the policy. In addition the information may be obtained by any interested party of the office of the Building Principal.

Application Procedure

²² This sentence is optional even though 105 ILCS 5/10-20.13(b) was added in 1983 to require districts to waive "other fees" in addition to the costs of textbooks (P.A. 83-603). The General Assembly, however, never appropriated the necessary funds making the amendment unenforceable because it violated the State Mandates Act (30 ILCS 805/1; see above footnote). Alternatively, if a board wants to make a longstanding commitment to waiving specific fees, it may list them by using this alternative:

In order that no student is denied educational services or academic credit due to the inability of parents/guardians to pay fees and charges, the following fees are also waived for students who meet the eligibility criteria for fee waiver: athletic participation fees, lock fees, towel fees, shop fees, lab fees, registration fees, and driver education fees.

²³ Districts in which a referendum was approved to provide students with free textbooks must have a policy on textbook care and preservation (105 ILCS 5/28-17). The textbook loan program operated by the State Board of Education is found at 105 ILCS 5/18-17.

²⁴ Required by 105 ILCS 5/10-20.13.

²⁵ This eligibility standard is optional and may be omitted.

²⁶ This paragraph is optional and may be omitted.

²⁷ State law does not provide a specific appeal process.

1. Parent(s)/guardian(s) will be requested to complete the waiver of student's fee application and return the form to the Building Principal for review. The application and the record of action taken will be maintained by the school.
2. In cases where, for various reasons, a parent or other adult members of the family may not initiate a request, the classroom teacher, educational leader, visiting teacher, or other official may complete an application to establish eligibility, where needed, for children.
3. Applications may be filed at any time during the year.
4. The Building Principal shall determine the student's eligibility for fee waiver based on the School District's prerequisites for waiver.
5. The parent(s) or guardian(s) shall be notified within 14 days of the acceptance or denial of their student's waiver of fee application.
6. If the application is rejected, the reason will be stated and parents will be informed of appeal procedures. The parent(s) or guardian(s) will also be informed that they may reapply at anytime if circumstances change.

Appeal Procedures

The Building Principal will use the District's approved hearing procedure in cases of appeal by the parent(s)/guardian(s) of the school's decision on applications, or in cases of challenge of a student's continued eligibility.

The parent(s)/guardian(s) may appeal the denial of a fee waiver application by submitting the appeal in writing to the Superintendent within 14 day of the denial.

The Superintendent or a designee shall respond to the parents'/guardians' appeal within 14 days of receipt of the appeal.

If the Superintendent or a designee denies the application for the student's waiver of fee, the parent(s)/guardian(s) may submit a written appeal to the School Board.

The School Board shall respond to the appeal in a reasonable length of time. The Board's decision is final.

FEE DEFINED

For the purposes of this policy, "school fees" or "fees" means any monetary charge collected by a school or the school district from a student or the parents or guardian of a student as a prerequisite for the student's participation in any curricular or extracurricular program of the school or school district. The school or school district does not impose a "fee" when it requires that a student provide his or her own ordinary supplies or material (e.g., pencil, paper, notebooks), which are necessary to participate in any curricular or extracurricular program.

APPLICATION PROCESS

The parent/guardian shall submit written evidence of eligibility for waiver of the student's fees using a form available from the Building Principal. The Building Principal will notify the parent/guardian promptly as to whether the fee waiver request has been granted or denied. A Building Principal's denial of a fee waiver request may be appealed to the School Board by submitting the appeal in writing to the Superintendent or his designee within fourteen (14) days of the denial. If appealed, the Board will reconsider the decision to deny the fee waiver request and will notify the parent/guardian in writing of its decision. The decision of the Board is final and binding. Questions regarding the fee waiver request process should be addressed to the Building Principal's office.

Operational Services

Exhibit - Application for Fee Waiver²⁸

This application for a school fee waiver is completely independent from the District process for determining eligibility for free meals. The information must be provided for your application to be considered. Submit completed application and income verification documents to the Building Principal.

Student's Name (please print)

School

Parent/Guardian Name (please print)

²⁸ 105 ILCS5/10-20.13 provides two options for school fee waiver applications. Option 1 allows a district to establish a separate application process to determine a student's eligibility based upon the income guidelines established by the federal meals program that does not rely on a student's application for, eligibility for, or participation in the free meals program. By using this option, a district is relieved from the verification thresholds set by the federal program. This application assumes that the board policy 4:140, *Waiver of Student Fees*, uses option 1. Option 2 allows a district to use student's application for free meals. Under this option, federal requirements significantly restrict the number of applications that may be verified and this form may not be used. The relevant staff much check the adopted board policy to assure that this application is in alignment with it. The documents listed for verification are suggestions and may be amended.

Address (please print)

1. The student named above lives in my household? Yes No
2. Total number of people living in my home _____
3. Total gross annual household income (before deductions) from all people living in my home
\$ _____

Income includes all:

- Compensation for services, wages, salary, commissions or fees;
- Net income from self-employment;
- Social Security;
- Dividends or interest on savings or bonds or income from estates or trusts;
- Net rental income;
- Public assistance or welfare payments;
- Unemployment compensation;
- Government civilian employee or military retirement, or pensions or veterans payments;
- Private pensions or annuities;
- Alimony or child support payments;
- Regular contributions from persons not living in the household;
- Net royalties; and
- Other cash income (including cash amounts received or withdrawn from any source including savings, investments, trust accounts and other resources).

4. My household meets the federal income guidelines for free meals (attached)? Yes No
See www.isbe.net/nutrition/htmls/data.htm#income.

If you answered “No” to any of the previous questions, please indicate the reason(s) you are applying for a waiver of school fees.

Income Verification for Fee Waiver

You must present one of the following documents to verify income:

- | | |
|--|---------------------------------------|
| Two current pay stubs for all working members of the household | Disability statement showing benefits |
| Unemployment statement showing benefits | Current tax returns |
| Medicaid Card showing case number | Foster placement papers |
| Direct Certification letter from the State of Illinois | Food Stamp Evidence |
| Temporary Food assistance for needy families | |

You may be requested to provide updated income verification at any time, but no more often than once every 60 calendar days.

Supplying false information to obtain a fee waiver is a Class 4 felony (720 ILCS 5/17-6).

I attest that the statements made herein are true and correct.

Parent/Guardian (signature)

Date

Students

Conduct Code for Participants in Extracurricular Activities

The Superintendent or designee, using input from coaches and sponsors of extracurricular activities, shall develop a conduct code for all participants in extracurricular activities consistent with School Board policy. The conduct code shall: (1) require participants in extracurricular activities to conduct themselves as good citizens and exemplars of their school at all times, including after school, on days when school is not in session, and whether on or off school property; (2) emphasize that hazing and bullying activities are strictly prohibited; and (3) notify participants that failure to abide by it could result in removal from the activity. The conduct code shall be reviewed by the Building Principal periodically at his or her discretion and presented to the Board.

All coaches and sponsors of extracurricular activities shall annually review the rules of conduct with participants and provide participants with a copy. In addition, coaches and sponsors of interscholastic athletic programs shall provide instruction on steroid abuse prevention to students in grades 7 through 8 participating in these programs.

LEGAL REF.: Board of Education of Independent School Dist. No. 92 v. Earls, 122 S.Ct. 2559 (2002).
Clements v. Board of Education of Decatur, 478 N.E.2d 1209 (Ill.App.4, 1985).
Kevin Jordan v. O'Fallon THSD 203, 706 N.E.2d 137 (Ill.App.5, 1999).
Todd v. Rush County Schools, 133 F.3d 984 (7th Cir., 1998).
Veronia School Dist. 475 v. Acton, 515 U.S. 646 (1995).
105 ILCS 5/24-24, 5/27-23.3, and 25/2.

CROSS REF.: 5:280 (Duties and Qualifications), 6:190 (Extracurricular and Co-Curricular Activities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Discipline), 7:300 (Extracurricular Athletics)

ADOPTED: October 8, 2014

Students

Administrative Procedure - Code of Conduct for Extracurricular Activities

This Code of Conduct applies to all school-sponsored activities that are neither part of an academic class nor otherwise carry credit or a grade. Sponsors shall create a roster of students who are members or participants in an extracurricular activity and maintain attendance records.

The goal of the extracurricular program is to provide opportunities for students to pursue interests and develop life skills beyond the classroom. An additional goal of the athletic program is to develop the physical skills of student athletes, which will allow them to compete to the best of their ability within the School Board policies and the by-laws of any association of which the school is a member.

Members must conduct themselves at all times, including after school and on days school is not in session, as good citizens and exemplars of their school - they must behave in ways that are consistent with good sportsmanship, leadership, and appropriate moral conduct. They are expected to demonstrate good citizenship and exemplary conduct in the classroom, in the community, and during all facets of the activity.

The Code of Conduct below describes the expectations and goals of the extracurricular and athletic programs. This Code does not contain a complete list of inappropriate behaviors for students in extracurricular activities and athletics. This Code of Conduct will be enforced 365 days a year, 24 hours a day. A student may be excluded from activities or competition while the school is conducting an investigation regarding that student's conduct.

Students and their parents/guardians are encouraged to seek assistance from the student assistance program regarding alcohol or other drug problems. Family-referrals or self-referrals will be taken into consideration in determining consequences for Code of Conduct violations.

Code of Conduct

A student participating in an activity or athletic program will be subject to disciplinary action if he or she violates this Code of Conduct for Extracurricular Activities. Violations will be treated cumulatively, with disciplinary penalties increasing with subsequent violations.

The student shall not:

1. Violate the District's policies or procedures on student discipline;
2. Use a beverage containing alcohol (except for religious purposes);
3. Use tobacco in any form;
4. Use, possess, buy, sell, barter, or distribute any illegal substance (including mood-altering and performance enhancing drugs or chemicals) or paraphernalia;
5. Use, possess, buy, sell, barter, or distribute any object that is or could be considered a weapon or any item that is a "look alike" weapon. This prohibition does not prohibit legal use of weapons in cooking and in sports, such as archery, martial arts practice, target shooting, hunting, and skeet;
6. Attend a party or other gathering and/or ride in a vehicle where alcoholic beverages and/or controlled substances are being consumed by minors;
7. Act in an unsportsmanlike manner;
8. Vandalize or steal;
9. Haze other students;
10. Violate the written rules for the activity or sport;
11. Behave in a manner that is detrimental to the good of the group or school;
12. Be insubordinate or disrespectful toward the activity's sponsors or team's coaching staff;
13. Falsify any information contained on any permit or permission form required by the activity or sport.

Due Process Procedures

Students who are accused of violating the Code of Conduct for Extracurricular Activities are entitled to the following due process:

1. The student should be advised of the disciplinary infraction with which he or she is being charged.
2. The student shall be entitled to a hearing before an appropriate administrator.
3. The student will be able to respond to any charges leveled against him or her.
4. The student may provide any additional information he or she wishes for the administrator to consider.
5. The administrator, with the help of other staff members if needed, may interview material witnesses or others with evidence concerning the case.
6. If the administrator finds, after reviewing the evidence, that the violation occurred, he or she will impose sanctions on the student, as follows:
 - a. Sanctions for violations other than drug and alcohol will be based on the nature of the offense and the number of offenses, and may include suspension from all activities or sports for one of the time periods described below:
 - A specified period of time or percentage of events, competitions, or practices
 - The remainder of the season or for the next season
 - The remainder of the student's high school career
 - b. Sanctions for alcohol and other drug violations will be based on the following:

First violation

- Use, possession, buying, selling, bartering, or distributing: A suspension of one third of the total number of performances, activities, or competitions or the remainder of the season, whichever is shorter. This penalty will be reduced if the student successfully completes a school-approved chemical awareness program.
- Attendance at a party or riding in a vehicle where alcoholic beverages and/or controlled substances are being consumed: A suspension of one sixth of the total number of performances, activities or competitions, or the remainder of the season, whichever is shorter.
- The student will be required to practice with the group, regardless of the violation (unless suspended or expelled from school).

Second violation

- Use, possession, buying, selling, bartering, or distributing: A suspension of 12 weeks or 1 season, including suspension from all performances, activities, or competitions during this period. To participate again in any activities, the student must successfully participate in and complete a school-approved alcohol and other drug abuse assessment and follow all recommendations from that assessment.
- Attendance at a party or riding in a vehicle where alcoholic beverages and/or controlled substances are being consumed: A suspension of one third of the season and all extracurricular group performances, activities, or competitions during this period.
- The student may be required to practice with the group (unless suspended or expelled from school).

Third violation

- Use, possession, buying, selling, bartering, or distributing: A suspension from extracurricular activities for the remainder of the student’s high school career.
- Attendance at a party or riding in a vehicle where alcoholic beverages and/or controlled substances are being consumed: A suspension of one calendar year from the date of the suspension, including all extracurricular activities during this period.

7. The administrator will make a written report of his or her decision and rationale. The student may appeal the decision to the Building Principal.

All students remain subject to the Board’s student discipline policy and/or the school’s student handbook and the disciplinary measures listed in them.

STUDENTS

Adm. Reg. 7:190 (i)

Students

Administrative Procedure - Guidelines for Investigating Sexting Allegations

Establishing procedures with local law enforcement agencies and State’s attorneys to investigate allegations of sexting protects the District, its staff and its students from the broad legal implications that sexting allegations present. This administrative procedure contains three sections:

1. Glossary of Terms
2. Preparation of Guidelines for Investigating Sexting Allegations
3. Investigation and Management of Sexting Allegations

Glossary of Terms

Electronic device: any type of electronic communication device, defined at 705 ILCS 405/3-40(a), added by P.A. 96-1087. It includes, but is not limited to, a wireless telephone, personal digital assistant, or a portable or mobile computer, that is capable of transmitting images or pictures. This includes cellular telephones (see www.thesaurus.com, listing cellular and wireless telephones as synonyms). For more discussion, see f/n 3 in 7:190 - AP5, *Electronic Devices - Student Handbook*.

Sexting: a portmanteau word of sex and texting with no clear definition. It is commonly explained as the act of sending sexually explicit photos, images, or messages electronically, primarily by mobile phone or the internet, that are taken with or without consent. It also includes *indecent visual depictions*, which means a depiction or portrayal in any pose, posture, or setting involving a lewd exhibition of the unclothed or transparently clothed genitals, pubic area, buttocks, or, if such person is female, a fully or partially developed breast of the person (705 ILCS 405/3-40(a), added by P.A. 96-1087, eff. 1-1-11).

Preparation of Guidelines for Investigating Sexting Allegations

This section identifies best practices for creating guidelines for investigating sexting allegations at the District-wide level. The Superintendent should discuss this procedure with local law enforcement agencies and State’s attorneys to minimize the potential legal implications for students and administrators that sexting presents. Customize the procedure to each District’s specific needs.

Actor	Action
Superintendent or designee	<p>Convene a meeting with Board attorney, local law enforcement agencies, and State’s attorney to determine best practices and procedures for investigating sexting. Use the Investigation and Management of Sexting Allegations section (see below) as a template for discussion at the meeting and customize it to meet local considerations as necessary.</p> <p>Ask the Board attorney to provide direction about searching student owned electronic devices in Step 2: Isolate Evidence / Confiscate Device in the Investigation and Management of Sexting Allegations section (see below).</p> <p>Searching electronic devices involves Fourth Amendment search and seizure and the federal Stored Communication Act (SCA) (18 U.S.C. §2701) issues. Generally asking for permission, calling the parents to come and look through the phone, or getting a warrant solves this issue. Note: See the Dept. of Justice’s, “The Stored Communication Act, in Searching and Seizing Computers and Obtaining Electronic Evidence Manual” (Sept. 2009), available at: www.justice.gov/criminal/cybercrime/ssmanual/03ssma.html and Orin S. Kerr,</p>

Actor	Action
	<p>A User's Guide to the Stored Communications Act, and a Legislator's Guide to Amending It, George Washington Law Review (Aug. 2004).</p> <p>Identify and list all State's attorneys and local law enforcement agencies with jurisdiction over the District's boundaries. Provide this list to all Building Principals in the District.</p> <p>Provide the local State's attorney offices and law enforcement agencies with an annual list of school buildings and the names of each building's administrators that are located within their jurisdictions.</p> <p>Invite local State's attorney offices and law enforcement agencies to meet with District school officials to provide input on how the District should manage identified indecent visual depictions.</p> <p>Add an agenda item about sexting to a Parent Teacher Advisory Committee meeting (see policy 2:150, <i>Committees</i>). Include information from discussions with State's attorneys and local law enforcement about the issue. Discuss local considerations for:</p> <ol style="list-style-type: none"> 1. Disciplinary actions and consequences in response to sexting; and 2. Sexting education and prevention efforts. <p>Consider adding information about the negative consequences of sexting to the District's sex education curriculum. See, U.S. Dept. of Justice Guide titled <i>Citizen's Guide to United States Federal Child Exploitation Laws</i>, available at: www.justice.gov/criminal/ceos/citizensguide_porn.html; MTV's four-part series titled <i>Sexting in America: When Privates Go Public</i>, available at: www.mtv.com/videos/news/483801/sexting-in-america-when-privates-go-public-part-1.jhtml#id=1631892 and www.athinline.org. Consider adding these to 7:190-AP6, <i>EI, Exhibit-Letter to Parents/Guardians About Preventing and Reducing Incidences of Sexting</i>.</p> <p>Convene a meeting with Building Principals to inform them of the District's Investigation and Management of Sexting Allegations procedures (see below).</p> <p>Raise awareness of and increase educational opportunities about sexting as necessary. Follow the Parent Teacher Advisory Committee's recommendations for providing sexting education and prevention efforts. Invite the local State's attorney and local law enforcement to participate in the District's education and prevention efforts.</p>
Building Principals	<p>Educate building staff members about the procedures for Investigation and Management of Sexting Allegations (see below).</p> <p>Follow the Investigation and Management of Sexting Allegations.</p>

Investigation and Management of Sexting Allegations

This section relies upon the Building Principal or designee to manage several practical and legal implications when conducting sexting allegation investigations.

Actor	Action
Building Principal or designee	<p>Step 1: Investigate</p> <p>Determine where actions took place.</p> <p>Contact parents/guardians of all students involved.</p> <p>Contact the Superintendent and request permission to contact the Board Attorney.</p> <p>Step 2: Isolate Evidence / Confiscate Device</p>

Actor	Action
	<p>NEVER transfer or store depictions on personal or school electronic devices to minimize accusations of possession of child pornography. (See 625 ILCS 5/11-20.1 <i>et seq.</i> and 18 U.S.C. §§2251, 2252, and 2252A). Also see the U.S. Dept. of Justice’s Child Exploitation and Obscenity Section discussing child pornography issues, available at: www.justice.gov/criminal/ceos/childporn.html.</p> <p>Contact local law enforcement.</p> <p>See Joshua D. Herman, <i>Criminal Law. Sexting: It’s No Joke, It’s a Crime</i>. Illinois Bar Journal, Volume 98, No. 4, P. 192 at f/n 42 (published April 2010), online at: www.isba.org/ibj/2010/04/criminallaw, (quoting an attorney in the Illinois Attorney General’s High Tech Crimes Bureau who advises school administrators to immediately confiscate devices with such material on them and report the incident to law enforcement immediately, stating that possession of a sext message that is child pornography is no different than possessing a “kilo of cocaine.”)</p> <p>Follow board policy 7:140, <i>Search and Seizure</i> and 7:150-AP, <i>Administrative Procedure, Agency and Police Interviews</i>.</p> <p>Follow the Board Attorney’s direction regarding searches of student owned technological devices. See Preparation of Guidelines for Investigating Sexting Allegations (above).</p> <p>Step 3: Follow the reporting requirements of Board policy 5:90, <i>Abused and Neglected Child Reporting</i>, when applicable</p> <p>A <i>sexted</i> image may constitute child abuse depending upon the visual depiction and the circumstances. See 325 ILCS 5/3 and 705 ILCS 405/2-3 (2) which includes sex offenses defined at 720 ILCS 5/1-1 <i>et seq.</i> School personnel are granted broad immunities against civil and criminal claims for filing reports in good faith, even if the report is unfounded. In contrast, school personnel who willfully fail to report may be guilty of a Class A misdemeanor (325 ILCS 5/4) and face suspension of their teaching certificates (105 ILCS 5/21-23, amended by P.A. 96-431).</p> <p>Step 4: Determine appropriate disciplinary actions for all students involved in the incident</p> <p>Evaluate disciplinary options. Remember that a student who forwards sexts of himself or herself likely expected the depiction to remain private. As a result, consider the social stigma, bullying, harassment, and severe embarrassment issues involved in the issue.</p> <p>Provide an equivalent discipline to all students involved in the creation, dissemination and storage of the sexted image, whenever possible.</p> <p>See Sorenen, Vitale, and Haase, <i>Sexting at School: Lessons Learned the Hard Way</i>. National School Board Association, Council of School Attorney’s Inquiry & Analysis, f/n 40 (published February 2010) discussing several sex equality claims against school districts for punishing students differently when they are involved in the same incident.</p> <p>For situations that may require unequal punishment, contact the Superintendent so that he or she may consult the Board Attorney.</p> <p>Step 5: Prepare a plan to prevent harassment and bullying of involved students</p>

Actor	Action
	<p>Remind the students and their parents/guardians of the Board’s policy 7:180, <i>Preventing Bullying Intimidation and Harassment</i>.</p> <p>Instruct involved students not to harass anyone involved in the sexting incident and keep the issues confidential.</p> <p>Consider involving the social worker or guidance counselor, if available, in the process to assist students.</p> <p>Follow 7:180, <i>Preventing Bullying Intimidation and Harassment</i>, for students who violate the policy.</p>

Students

Food Allergy Management Program

School attendance may increase a student’s risk of exposure to allergens that could trigger a food-allergic reaction. A food allergy is an adverse reaction to a food protein mediated by the immune system which immediately reacts causing the release of histamine and other inflammatory chemicals and mediators. While it is not possible for the District to completely eliminate the risks of exposure to allergens when a student is at school, a Food Allergy Management Program using a cooperative effort among students’ families, staff members, and students helps the District reduce these risks and provide accommodations and proper treatment for allergic reactions.

The Superintendent or designee shall develop and implement a Food Allergy Management Program that:

1. Fully implements the following goals established in The School Code: (a) identifying students with food allergies, (b) preventing exposure to known allergens, (c) responding to allergic reactions with prompt recognition of symptoms and treatment, and (d) educating and training all staff about management of students with food allergies, including administration of medication with an auto-injector, and providing an in-service training program for staff who work with students that is conducted by a person with expertise in anaphylactic reactions and management.
2. Follows and references the applicable best practices specific to the District’s needs in the joint State Board of Education and Ill. Dept. of Public Health publication *Guidelines for Managing Life-Threatening Food Allergies in Schools*, available at: www.isbe.net/nutrition/pdf/food_allergy_guidelines.pdf.
3. Complies with State and federal law and is in alignment with Board policies.

LEGAL REF.: 105 ILCS 5/2-3.149 and 5/10-22.39.
Guidelines for Managing Life-Threatening Food Allergies in Schools (Guidelines), jointly published by the State Board of Education and Ill. Dept. of Public Health.

CROSS REF.: 4:110 (Transportation), 4:120 (Food Services), 4:170 (Safety), 5:100 (Staff Development Program), 6:120 (Education of Children with Disabilities), 6:240 (Field Trips), 7:250 (Student Support Services), 7:270 (Administering Medicines to Students), 8:100, (Relations with Other Organizations and Agencies)

ADOPTED: November 10, 2010

Administrative Procedure - Implementing a Food Allergy Management Program²⁹

The following procedure implements policy 7:285, *Food Allergy Management Program*, which is based upon the joint State Board of Education (ISBE) and Ill. Dept. of Public Health (IDPH) publication, *Guidelines for Managing Life-Threatening Food Allergies in Schools (ISBE/IDPH Guidelines)*, available at: www.isbe.net/nutrition/pdf/food_allergy_guidelines.pdf (105 ILCS 5/2-3.149(b), added by P.A. 96-349 and renumbered by P.A. 96-1000). The District's Food Allergy Management Program is developed and collectively implemented by local school officials, District staff, students and their families, and the community. This administrative procedure contains three sections as follows:

1. Glossary of Terms
2. Food Allergy Management Program
3. Individual Food Allergy Management (Three Phases)
 - Phase One: Identification of Students with Food Allergies
 - Phase Two: Prevention of Exposure to Known Allergens
 - Phase Three: Response to Allergic Reactions

All references to the ISBE/IDPH Guidelines within the procedures will refer to the specific section title or Appendix with the page number in parenthesis.

Glossary of Terms

The Glossary at Appendix J of the ISBE/IDPH Guidelines is incorporated here by reference.

Food Allergy Management Program (Program) - The overall process that the Superintendent and other District-level administrators use to implement policy 7:285, *Food Allergy Management Program*, which is based upon the *ISBE/IDPH Guidelines*.

Food Allergy Management Committee (Committee) - A District-level team that the Superintendent creates to develop a Food Allergy Management Program. It monitors the District's Food Allergy Management Program for effectiveness and establishes a schedule for the Superintendent to report information back to the Board. It is not required by State law, but it is a best practice method to ensure the Program's continued legal compliance and alignment with governance principles.

Individual Food Allergy Management - The process at the building-level used to manage and prevent anaphylaxis. The process identifies: (a) students with allergies, (b) procedures to prevent exposure to known allergens, and (c) appropriate responses to allergic reactions. It is synonymous with the third section in this sample administrative procedure.

Individual Health Care Plan (IHCP) - A document that outlines a food allergic student's needs, and at minimum, includes the precautions necessary for food allergen avoidance and emergency procedures and treatments. Its function is similar to a 504 Plan (see below). **Important:** Consult the Board Attorney about whether the Program should implement a 504 Plan or IHCP. This Program's procedures implement 504 Plans only. Insert IHCP in place of or in addition to 504 Plan in this document if the District will also implement IHCPs.

²⁹ **"Note:"** messages appear throughout this procedure to highlight legal issues and available customization options. This format is a departure from the **PRESS** publication's general format, which usually provides finished procedures that are ready for immediate use and implementation. This procedure follows the legal requirements for what a food allergy management program must include, but development and implementation of the actual food allergy management program is subject to a district's resources and circumstances, i.e., the size of the school district, conditions in individual buildings, and an individual student's needs. The first paragraph's second sentence is optional. Remove it if the board removed the optional clause discussed in f/n 2 of policy 7:285, *Food Allergy Management Program*. The purpose of the sentence is to allocate responsibility for food allergy management among the district, staff, and food-allergic students and their families and alert the community that successful implementation relies upon everyone to understand the seriousness of food allergies.

504 Plan - A document that outlines a food allergic student’s needs, necessary accommodations, and individual staff member responsibilities. Its function is identical to an IHCP while also including procedural protections (see above). This Program’s procedures implement 504 Plans only. **Important:** Consult the Board Attorney about whether implementing only 504 Plans is the best method. Many attorneys agree that a 504 Plan is the best (although not universal) practice for a student with a diagnosis of an allergy.³⁰

504 Team - A building-level team that implements the phases of Individual Food Allergy Management in a student’s 504 Plan. Insert “IHCP Team” in place of or in addition to “504 Team” if the district will also implement IHCPs. **Note:** If the District implements IHCP’s, gathering information, identifying methods to prevent exposure, and assigning staff responsibilities will rely heavily on the Nurse/DSP, not a 504 Team.

Food Allergy Management Program

This section relies heavily upon District-level administrators to implement the Program even if the District has no students with food allergies (105 ILCS 5/2-3.149, added by P.A. 96-349 and renumbered by P.A. 96-1000). This is because identification of students at risk of anaphylaxis cannot be predicted, and it is possible that a student who has not been identified could have his or her first reaction at school (p. 7). This section references the *ISBE/IDPH Guidelines* and aligns with governance principles so that District-level administrators can: (a) integrate the Program into the District’s existing policies and procedures, (b) engage in ongoing monitoring of the Program, (c) assess the Program’s effectiveness, and (d) inform the Board about the Program along with recommendations to enhance its effectiveness.

Note: Modify this section based upon the District’s specific implementation needs. The only mandate in 105 ILCS 5/2-3.149, added by P.A. 96-349 and renumbered by P.A. 96-1000, is that school boards implement a policy based upon the *ISBE/IDPH Guidelines* by January 1, 2011. Implementation methods are infinite; this Program provides one method.

Actor	Action
Superintendent or designee	<p>Establish a District-wide Food Allergy Management Committee (Committee) to operate as a Superintendent committee. Consider including:</p> <ul style="list-style-type: none"> District-level administrators Building Principals (Building Principals are mandatory for successful implementation of the Program) District Safety Team Program Coordinator (see 4:170-AP1, <i>Comprehensive Safety and Crisis Program</i>, Part A, Safety Team) District 504 Coordinator (see 6:120, <i>Education of Children with Disabilities</i> and 6:120, AP1, E1 <i>Notice to Parents/Guardians Regarding Section 504 Rights</i>) Staff members Parents/Guardians Community members Students <p>Chair and convene Committee meetings for purpose of implementing the Program. Note: The Committee is not required by State law. However, establishing it provides a best practice for aligning with governance principles and examining implementation issues specific to each individual school district. While smaller school districts, i.e., one building districts, may be able to implement a Program through one meeting, larger school districts will likely require the uniform coordination that this Committee provides. Some school districts may choose to use the modifiable <i>ISBE/IDPH Guidelines</i> document, available at: www.isbe.state.il.us/nutrition/word/food_allergy_sample_procedures.doc, and add or delete items as necessary to the specific needs of the school district.</p> <p>Inform School Board of the Committee’s progress and needs by adding information items to the Board’s agendas as needed.</p>

³⁰ Prior to the 2008 amendments to the Americans with Disabilities Act, courts frequently found that allergies were not disabilities under Section 504 (see Smith v. Tangipahoa Parish School Board, 46 IDELR 282 (D.Ct. LA 2006)). As a result, schools commonly drafted Individual Health Care Plans (IHCP) and Emergency Action Plans (EAP) for food allergic students instead of Section 504 Plans. The ADA Amendments Act of 2008 (Pub. L. 110-325) significantly broadened the definition of *substantially limits* to include disabilities that are inactive or in remission. These amendments generally support Section 504 entitlement for students with allergies because an allergic reaction will *substantially limit* the major life activity of *breathing* when anaphylaxis occurs.

Actor	Action
Food Allergy Management Committee	<p>Identify existing policies, procedures and exhibits which affect implementation of the Program, including, but not limited to:</p> <ul style="list-style-type: none"> 1:20, <i>District Organization, Operations, and Cooperative Agreements</i> 2:20, <i>Powers and Duties of the School Board</i> 2:240, <i>Board Policy Development</i> 4:110, <i>Transportation</i> 4:120, <i>Food Services</i> 5:100, <i>Staff Development Program</i> 5:100-AP, <i>Administrative Procedure - Staff Development Program</i> 6:65, <i>Student Social and Emotional Development</i> 6:120, <i>Education of Children with Disabilities</i> 6:120-AP, <i>Administrative Procedure - Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities</i> 6:240, <i>Field Trips</i> 7:180, <i>Preventing Bullying, Intimidation, and Harassment</i> 7:250, <i>Student Support Services</i> 7:270, <i>Administering Medicines to Students</i> 7:270-AP, <i>Administrative Procedure - Dispensing Medication</i> 7:270-E, <i>School Medication Authorization Form with the Emergency Action Plan</i> 8:100, <i>Relations with Other Organizations and Agencies.</i> <p>Recommend, through the Superintendent, any policy changes to the School Board for consideration. See policy 2:240, <i>Board Policy Development</i>.</p> <p>Recommend to the Superintendent any amendments to administrative procedures. Note: To minimize paper and confusion, the Committee may want to replace 7:270-E, <i>School Medication Authorization Form</i> with the <i>ISBE/IDPH Guidelines</i>' sample form, <i>Emergency Action Plan</i> (EAP) at App. B-5 (p. 48) and available at: www.isbe.state.il.us/nutrition/pdf/food_allergy_emer_action_plan.pdf. The Committee should also assess the feasibility of adding staff training during a Periodic Emergency Response Drill (App. B-3, p. 44) to the District's School Safety Drill Program (see 4:170-AP, <i>Administrative Procedure, Comprehensive Safety and Crisis Program</i>, paragraph D and f/n 3). Adding this suggested drill is not required and exceeds the mandate contained in 105 ILCS 128/. If added, revise paragraph D of 4:170-AP, <i>Administrative Procedure, Comprehensive Safety and Crisis Program</i> to include the applicable School Administrators and Nurse/Designated School Personnel (DSP) Checklist items (p. 24 and 32).</p> <p>Convene a District-wide meeting with all Building Principals, other appropriate administrative and special education staff, and the Board Attorney to discuss this Program, the <i>ISBE/IDPH Guidelines</i>, and prepare each individual Building Principal to implement it in his or her building. Note: The Board Attorney will be a necessary participant in the District's efforts to manage food allergy management issues. The Superintendent may want to authorize individual Building Principals to consult with the Board Attorney in some circumstances. If so, the Superintendent should outline this process during this meeting.</p> <p>Educate and train all staff by coordinating, through the Superintendent or Building Principals, the required in-service training program(s) for staff working with students. The in-service must be conducted by a person with expertise in anaphylactic reaction management and include administration of medication with an auto-injector (105 ILCS</p>

Actor	Action
	<p>5/10-22.39(e), added by P.A. 96-349). <i>Person with expertise</i> is not defined but the use of the word <i>expertise</i> suggests that using a lay person to provide training is not appropriate. Use the list of training resources in App. I. (p. 71) and see the Potential Sources for Food Allergy Education, available at: www.isbe.state.il.us/nutrition/pdf/food_allergy_educ_sources.pdf. This training should also include:</p> <ul style="list-style-type: none"> • How to recognize symptoms of an allergic reaction • Review of high-risk areas • Steps to take to prevent exposure to allergen • How to administer an epinephrine auto-injector • How to respond to a student with a known allergy as well as a student with a previously unknown allergy • Information to increase awareness of bullying and sensitivity to issues that students with food allergies face in the school setting <p>Consider implementing the Nurse/DSP checklist item (p. 22) addressing the above issues by informing staff of the goals established in each of the following Board policies:</p> <p>6:65, Student Social and Emotional Development. This policy requires the District’s educational program to incorporate student social and emotional development into its educational program and be consistent with the social and emotional development standards in the Illinois Learning Standards.</p> <p>7:180, Preventing Bullying, Intimidation, and Harassment. This policy prohibits students from engaging in bullying, intimidation, and harassment, which diminish a student’s ability to learn and a school’s ability to educate. It states that preventing students from engaging in these disruptive behaviors is an important District goal. Note: Including bullying and sensitivity awareness in the required in-service exceeds State law requirements. Because State law requires districts to have policies addressing bullying (105 ILCS 5/27-23.7) and social and emotional development (405 ILCS 49/) and the Guidelines highlight that increasing awareness of these issues is a best practice consideration, the required in-service is a logical place to include this education. Be sure the referenced board policies contain the locally adopted policy language.</p> <p>Provide community outreach through Building Principals by providing information to students and their parents/guardians about the Program. Establish linkages and partnerships with organizations that can assist the Committee or Building Principals with the goal of providing a coordinated, collaborative education and outreach system to all members of the school community to better understand food allergy management issues in the school setting (App. I, p.71). Provide and inform Building Principals, when possible, of opportunities to “close the food allergy knowledge gap” (p. 21, citing a <i>Gupta, et. al, BMC Pediatrics</i> report that the general population has many misconceptions about food allergies). See Potential Sources for Food Allergy Education, available at: www.isbe.state.il.us/nutrition/pdf/food_allergy_educ_sources.pdf.</p> <p>Monitor the Program by periodically assessing its effectiveness.</p> <p>Incorporate updated medical best practices into all areas of the Program.</p> <p>Establish a schedule for the Superintendent to report any recommendations to enhance the Program’s effectiveness to the Board for consideration.</p>

Actor	Action
Building Principal	<p>Inform the school community of the Program by providing the information to students and their parents/guardians. For a sample letter, see App. C-1 (p. 58). Inform the school community of the opportunities to better understand food allergy management issues.</p> <p>Implement the Program in the building by meeting with the Nurse/DSP and special education staff in the building to examine the <i>ISBE/IDPH Guidelines</i>. Identify and follow:</p> <ul style="list-style-type: none"> All best practices that apply to the conditions in the school building to reduce exposure to allergens (p. 20). All items from the School Administration Nurse/DSP Checklists that apply to the working conditions in the school building (p. 22-24, 32-33). <p>Educate staff members about the Program and their likely involvement with Individual Food Allergy Management (p. 20-40). Inform staff members about Constructive Classroom Rewards (App. G, p. 67-69), at: www.isbe.state.il.us/nutrition/pdf/const_clsrm_rewards.pdf.</p> <p>Inform staff members and volunteers to first use the epinephrine auto-injector and then call 911 anytime an allergic reaction is suspected, and review the <i>ISBE/IDPH Guidelines</i>, specifically Food Allergies (p. 9-12). Note: Fatalities occur when epinephrine is delayed or withheld (p. 21).</p> <p>Add information about the District’s Program and any other building-related specifics of the Program to student handbooks. To increase awareness of the bullying issues faced by students with food allergies, consider including information for students and their parents about the goals established in Board policy 7:180, <i>Preventing Bullying, Intimidation, and Harassment</i>. See Nurse/DSP Checklist (p. 22).</p>
School Board	<p>Monitor 7:285, <i>Food Allergy Management</i>, and make changes recommended by the Committee. See policy 2:240, <i>Board Policy Development</i>.</p> <p>Consider all policy changes recommended by the Superintendent.</p> <p>Provide the appropriate resources for the Superintendent to successfully implement the Program.</p>

Individual Food Allergy Management

This section’s procedures are implemented each time the school identifies a student with a food allergy. It follows Board policy 6:120, *Education of Children with Disabilities* and references additional considerations based upon the *ISBE/IDPH Guidelines*. It relies heavily upon Building Principals and Nurse/Designated School Personnel (DSP) to identify the necessary accommodations for each student and determine which staff members are responsible to provide them. Accommodations are impacted by a number of factors, e.g., the student’s age, the allergen(s) involved, the facilities at each school building, etc.

Phase One: Identification of Students with Food Allergies

Actor	Action
Parent/Guardian	<p>Inform the Building Principal of the student’s food allergy.</p> <p>Complete Allergy History Form (App. B-8, p. 56 and available at: www.isbe.state.il.us/nutrition/word/sample_allergy_hstry_form.doc) and School Medication Authorization Form (see 7:270-E, <i>School Medication Authorization Form</i>). Return them to the Building Principal or Nurse/DSP. Note: The Emergency Action Plan (EAP) (p. 48) may be used instead of 7:270-E, <i>School Medication Authorization Form</i>.</p>

Actor	Action
	Participate in all meetings to assess and manage the individual student’s health needs. Follow the <i>Parent/Guardian of Children with Food Allergies Checklist</i> . See <i>Guidelines</i> , p. 25.
Building Principal and/or Nurse/DSP	Follow the District’s procedural safeguards for convening a meeting to assess the individual student’s allergy management needs.
504 Team	<p>Modify this section if the District implements IHCPs. See Glossary above for more information.</p> <p>For a student who is not already identified as disabled, determine whether a referral for an evaluation is warranted using the District’s evaluation procedures for determining whether a student is a student with a disability within the meaning of IDEA or Section 504 (see Board policy 6:120, <i>Education of Children with Disabilities</i>).</p> <p>For a student with an existing IEP or Section 504 plan, or who qualifies for one on the basis of his or her food allergy, determine:</p> <ol style="list-style-type: none"> 1. Whether the student’s food allergy requires <i>related services</i> to ensure the provision of a “free appropriate public education” (FAPE), and/or 2. Whether the student’s food allergy requires appropriate <i>reasonable accommodations</i> for the student’s disability. <p>If the answer to either of the above questions is negative, notify the parent/guardian in writing of the reasons for the denial and the right to appeal. Provides any required procedural safeguard notices. See 23 Ill.Admin.Code Part 226; Section 504 of the Rehabilitation Act of 1973 (34 C.F.R. Parts 104 and 300); and 6:120-AP1, E1, <i>Notice to Parents/Guardians Regarding Section 504 Rights</i>.</p> <p>If the answer to either of the above questions is positive:</p> <ol style="list-style-type: none"> 1. Gather appropriate health information by using the completed Allergy History Form (App. B-8, p. 56) and Emergency Action Plan (EAP) (App. B-5, p.48). 2. Identify all necessary accommodations and complete a 504 Plan (use the District’s established forms or App. B-7, p. 52-55). For meal substitutions, see App. B-4, p. 45-46. 3. Determine which staffing provides the identified accommodations. Remember that accidental exposures are more likely to happen when an unplanned event or non-routine event occurs and special care should be taken to address procedures for staff members who provide transportation, substitute teaching, coaching or other activities, field trips, and classroom celebrations. For a list of staff members to consider, see <i>Creating a Safer Environment for Students with Food Allergies</i> (p. 19). 4. Assign responsibilities to individual staff members for providing the identified accommodations (General Guidelines, p. 20-40). Inform absent staff members during the creation of the 504 Plan of their responsibilities. 5. Identify willing 504 Team members trained in emergency response to respond to any allergic reactions the student may have. See EAP, <i>Trained Staff Members</i> box (p. 49). Note: Consult the Board Attorney if options are limited or the classroom teacher is not willing to administer epinephrine.

Actor	Action
	<p>While classroom teachers are a logical choice to provide emergency response due to their continual close proximity to students, such an assignment may: (1) impact terms and conditions of employment and may trigger collective bargaining rights, and/or (2) violate 105 ILCS 5/10-22.21b, which states that under no circumstances shall teachers or other non-administrative school employees, except certified school nurses and non-certificated registered professional nurses, be required to administer medication to students.</p> <p>6. Provide the required procedural safeguard notices. See 23 Ill.Admin.Code Part 226; Section 504 of the Rehabilitation Act of 1973 (34 C.F.R. Parts 104 and 300); and 6:120-API, E1, <i>Notice to Parents/Guardians Regarding Section 504 Rights</i>.</p>

Phase Two: Prevention of Exposure to Known Allergens

Actor	Action
<p>Building Principal and/or Nurse/DSP</p>	<p>Convene a meeting to educate all the staff members who will provide the identified 504 Plan accommodations about their responsibilities.</p> <p>Ensure individual staff members perform their responsibilities and provide the necessary accommodations for the student’s individual health needs (p. 20-40).</p> <p>Facilitate the dissemination of accurate information in the building about the student’s food allergy while respecting privacy rights.</p> <p>Note: Request permission from the Superintendent to consult the Board Attorney about best practices for disclosures to volunteers, e.g., field trip chaperones or room parents) of confidential medical information without parental consent. Generally Building Principals have discretion, but these situations are fact specific. Ideally the District should attempt to get parental permission to disclose the information about the allergy, but practically this cannot always occur. Many agree that safety trumps confidentiality in these situations, especially when volunteers have a legitimate educational interest if knowledge of the information is related to their ability to perform their duties (See, <i>Letter to Anonymous</i>, 107 LRP 28330 (FPCO 2007).</p> <p>Provide a medical alert to parents/guardians (App. B-9, p. 57 also available at: www.isbe.state.il.us/nutrition/word/sample_allergy_ltr_parent.doc) that does not name the student. The communication should inform other students and their parents/guardians about the importance of keeping their educational setting free of the food allergen.</p> <p>Note: Request permission from the Superintendent to consult the Board Attorney about disclosures and providing joint communications from the Building Principal and the parent/guardian of the food allergic student. While joint communications allow the school to exchange the information needed to protect the food allergic student and balance competing educational interests without violating federal or State laws that govern student records, they can also present other risks, i.e., re-disclosure of the confidential information. See Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, and its implementing rules at 34 C.F.R. Part</p>

	<p>99; Ill. School Student Records Act, 105 ILCS 10/, and its implementing rules at 23 Ill.Admin.Code Part 375. FERPA prohibits schools from disclosing personally identifiable information from students' education records without the consent of a parent or eligible student, unless an exception applies. See policy 7:340, <i>Student Records</i>.</p> <p>Prepare a list of answers to anticipated questions about managing the student's health needs.</p> <p>Check with the Nurse/DSP regarding any known competing educational interests with the student's health needs among other students attending the school (i.e., diabetes, service animals, etc.). Manage identified students' competing educational interests by:</p> <ol style="list-style-type: none"> 1. Consulting the Board Attorney. 2. Creating a method to monitor identified competing educational interests between students. 3. Responding to future unidentified competing educational interests and managing them immediately. 4. Modifying any other conditions as the facts of the situation require.
504 Team	<p>Implement and follow all identified responsibilities in the 504 Plan. Understand that accidental exposures are more likely to occur when an unplanned event occurs, which makes it critical to follow the exact accommodations in the student's 504 Plan (p.13).</p> <p>Practice emergency procedures outlined in the student's EAP and be prepared to follow them (App. B-3, p. 44).</p>
Parent/Guardian	<p>Implement and follow the applicable items in the <i>Parent/Guardian of Children with Food Allergies Checklist</i> (p. 25).</p>
Student	<p>Implement and follow the applicable items in the <i>Students with Food Allergies Checklist</i> (p. 26).</p>

Phase Three: Response to Allergic Reactions

Actor	Action
504 Team	Follow the student's 504 Plan and EAP.
Anyone	Anytime an allergic reaction is suspected, give the epinephrine auto-injector first, and then call 911. Fatalities occur when epinephrine is delayed or withheld (p. 21).
Nurse/DSP	<p>Implement and follow the applicable items in the <i>Return to School After a Reaction Checklist</i> (App. B-2, p. 43). If the student has no EAP and IHCP or 504 Plan, provide the parent/guardian with the EAP (App. B-5, p. 48) and <i>Sample Allergy History</i> (App. B-8, p. 56) forms and refer them to the process outlined in the Identification of Students with Food Allergies phase above.</p> <p>Review <i>Special Considerations for the Student</i>; specifically, collaborate with the students' medical provider (p. 23).</p>

Students

Student Athlete Concussions and Head Injuries

The Superintendent or designee shall develop and implement a program to manage concussions and head injuries suffered by student athletes. The program shall:

1. Comply with the concussion protocols, policies, and by-laws of the Illinois High School Association, including its *Protocol for NFHS Concussion Playing Rules* and its *Return to Play Policy*. These specifically require that:
 - a. A student athlete who exhibits signs, symptoms, or behaviors consistent with a concussion in a practice or game shall be removed from participation or competition at that time.
 - b. A student athlete who has been removed from an interscholastic contest for a possible concussion or head injury may not return to that contest unless cleared to do so by a physician licensed to practice medicine in all its branches in Illinois or a certified athletic trainer.
 - c. If not cleared to return to that contest, a student athlete may not return to play or practice until the student athlete has provided his or her school with written clearance from a physician licensed to practice medicine in all its branches in Illinois or a certified athletic trainer working in conjunction with a physician licensed to practice medicine in all its branches in Illinois.
2. Inform student athletes and their parents/guardians about this policy in the *Agreement to Participate* or other written instrument that a student athlete and his or her parent/guardian must sign before the student is allowed to participate in a practice or interscholastic competition.
3. Provide coaches and student athletes and their parents/guardians with educational materials from the Illinois High School Association regarding the nature and risk of concussions and head injuries, including the risks inherent in continuing to play after a concussion or head injury.
4. Include a requirement for staff members to notify the parent/guardian of a student who exhibits symptoms consistent with that of a concussion.

LEGAL REF.: 105 ILCS 5/10-20.53.

CROSS REF.: 4:170 (Safety), 7:300 (Extracurricular Athletics)

ADOPTED: February 8, 2012

Mount Vernon City Schools, District 80

7:310

Students

Restrictions on Publications

School-Sponsored Publications and Web Sites

School-sponsored publications, productions, and web sites are part of the curriculum and are not a public forum for general student use. School authorities may edit or delete material that is inconsistent with the District's educational mission.

All school-sponsored communications shall comply with the ethics and rules of responsible journalism. Text that is libelous, obscene, vulgar, lewd, invades the privacy of others, conflicts with the basic educational mission of the school, is socially inappropriate, is inappropriate due to the maturity of the students, or is materially disruptive to the educational process will not be tolerated.

The author's name will accompany personal opinions and editorial statements. An opportunity for the expression of differing opinions from those published/produced will be provided within the same media.

Non-School Sponsored Publications Accessed or Distributed On-Campus

For purposes of this section and the following section, a *publication* includes, without limitation: (1) written or electronic print material, and (2) audio-visual material, on any medium including electromagnetic media (e.g. images, MP3 files, flash memory, etc.), or combinations of these whether off-line (e.g., a printed book, CD-ROM, etc.) or on-line (e.g., any website, social networking site, database for information retrieval, etc.).

Creating, distributing and/or accessing non-school sponsored publications shall occur at a time and place and in a manner that will not cause disruption, be coercive, or result in the perception that the distribution or the publication is endorsed by the School District.

Students are prohibited from creating, distributing and/or accessing at school any publication that:

1. Will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities;
2. Violates the rights of others, including but not limited to material that is libelous, invades the privacy of others, or infringes on a copyright;

3. Is socially inappropriate or inappropriate due to maturity level of the students, including but not limited to material that is obscene, pornographic, or pervasively lewd and vulgar, contains indecent and vulgar language, or *sexting* as defined by School Board policy and Student Handbooks;
4. Is reasonably viewed as promoting illegal drug use; or
5. Is distributed in kindergarten through eighth grade and is primarily prepared by non-students, unless it is being used for school purposes. Nothing herein shall be interpreted to prevent the inclusion of material from outside sources or the citation to such sources as long as the material to be distributed or accessed is primarily prepared by students.

Accessing or distributing “on-campus” includes accessing or distributing on school property or at school-related activities. A student engages in gross disobedience and misconduct and may be disciplined for: (1) accessing or distributing forbidden material, or (2) for writing, creating, or publishing such material intending for it to be accessed or distributed at school.

Non-School Sponsored Publications Accessed or Distributed Off-Campus

A student engages in gross disobedience and misconduct and may be disciplined for creating and/or distributing publications that cause: (1) substantial disruption or a foreseeable risk of substantial disruption to school operations or (2) interferes with the rights of other students or staff members.

LEGAL REF.: Hazelwood v. Kuhlmeier, 108 S.Ct. 562 (1988).
Hedges v. Wauconda Community Unit School Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 89 S.Ct. 733 (1969).

CROSS REF.: 6:235 (Access to Electronic Networks), 7:180 (Preventing Bullying, Intimidation, and Harassment), 8:25 (Advertising and Distributing Materials in School Provided by Non-School Related Entities)

ADOPTED: April 13, 2011

STUDENTS

Adm. Reg. 7.310

Students

Administrative Procedure - Guidelines for Student Distribution of Non-School Sponsored Written Material on School Grounds

A student or group of students seeking to distribute more than 10 copies of the same written material on one or more days to students must comply with the following guidelines:

1. The student(s) must notify the Building Principal of the intent to distribute, in writing, at least 24 hours before distributing the material. No prior approval of the material is required.
2. The material may be distributed at times and locations selected by the Building Principal, such as, before the beginning or ending of classes at a central location inside the building.
3. The Building Principal may impose additional requirements whenever necessary to prevent disruption, congestion, or the perception that the material is school-endorsed.
4. Distribution must be done in an orderly and peaceful manner, and may not be coercive.
5. The distribution must be conducted in a manner that does not cause additional work for school personnel. Students who distribute material are responsible for cleaning up any materials thrown on school grounds.
6. Students must not distribute written material that:
 - a. Will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities;
 - b. Violates the rights of others, including but not limited to, material that is libelous, invades the privacy of others, or infringes on a copyright;
 - c. Is socially inappropriate or inappropriate due to the students’ maturity level, including, but not limited to, material that is obscene, pornographic, or pervasively lewd and vulgar, or contains indecent and vulgar language;
 - d. Is primarily intended for the immediate solicitation of funds; or
 - e. Is primarily prepared by non-students and distributed in elementary and/or middle schools.
7. A student may use Board policy 2:260, *Uniform Grievance Procedure*, to resolve a complaint.
8. Whenever these guidelines require written notification, the appropriate administrator may assist the student in preparing such notification.

A student or group of students seeking to distribute 10 or fewer copies of the same written material on one or more days to students must distribute such material at times and places and in a manner that will not cause substantial disruption of the proper and orderly operation and discipline of the school or school activities and in compliance with paragraphs 4, 5, 6, and 7.

Students

Student Records

School student records are confidential. Information from them shall not be released other than as provided by law. A school student record is any writing or other recorded information concerning a student and by which a student may be identified individually that is maintained by a school or at its direction by a school employee, regardless of how or where the information is stored, except as provided in State or federal law as summarized below:

1. Records kept in a staff member's sole possession.
2. Records maintained by law enforcement officers working in the school.
3. Video and other electronic recordings (including without limitation, electronic recordings made on school buses) that are created in part for law enforcement, security, or safety reasons or purposes. The content of these recordings may become part of a school student record to the extent school officials create, use, and maintain this content, or it becomes available to them by law enforcement officials, for disciplinary or special education purposes regarding a particular student.
4. Any information, either written or oral, received from law enforcement officials concerning a student less than the age of 17 years who has been arrested or taken into custody.

State and federal law grants students and parents/guardians certain rights, including the right to inspect, copy, and challenge school student records. The information contained in school student records shall be kept current, accurate, clear, and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child. The District may release directory information as permitted by law, but a parent/guardian shall have the right to object to the release of information regarding his or her child. However, the District will comply with an *ex parte* court order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to, or the consent of, the student's parent/guardian.

The Superintendent shall fully implement this policy and designate an *official records custodian* for each school who shall maintain and protect the confidentiality of school student records, inform staff members of this policy, and inform students and their parents/guardians of their rights regarding school student records.

Student Biometric Information Collection

The Superintendent or designee may recommend a student biometric information collection system solely for the purposes of identification and fraud prevention. Such recommendation shall be consistent with budget requirements and in compliance with State law. Biometric information means any information that is collected through an identification process for individuals based on their unique behavioral or physiological characteristics, including fingerprint, hand geometry, voice, or facial recognition or iris or retinal scans.

Before collecting student biometric information, the District shall obtain written permission from the person having legal custody or the student (if over the age of 18). Upon a student's 18th birthday, the District shall obtain written permission from the student to collect student biometric information. Failure to provide written consent to collect biometric information shall not be the basis for refusal of any services otherwise available to a student.

All collected biometric information shall be stored and transmitted in a manner that protects it from disclosure. Sale, lease, or other disclosure of biometric information to another person or entity is strictly prohibited.

The District will discontinue use of a student's biometric information and destroy all collected biometric information within 30 days after: (1) the student graduates or withdraws from the School District, or (2) the District receives a written request to discontinue use of biometric information from the person having legal custody of the student or the student (if over the age of 18). Requests to discontinue using a student's biometric information shall be forwarded to the Superintendent or designee.

The Superintendent or designee shall develop procedures to implement this policy consistent with State and federal law.

LEGAL REF.: Chicago Tribune Co. v. Chicago Bd. of Ed., 773 N.E.2d 674 (Ill.App.1, 2002).

Owasso I.S.D. No. I-011 v. Falvo, 122 S.Ct. 934 (2002).
Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99.
Children's Privacy Protection and Parental Empowerment Act, 325 ILCS 17/
105 ILCS 5/10-20.21b, 20.37, 20.40, 5/14-1.01 et seq., and 10/
50 ILCS 205/7.
23 Ill.Admin.Code Parts 226 and 375.

CROSS REF.:5:100 (Staff Development Program), 5:130 (Responsibilities Concerning Internal Information), 7:15 (Student and Family Privacy Rights), 7:220 (Bus Conduct)

ADOPTED: October 9, 2013

Adm. Reg. 7:340 (a)

Students

Administrative Procedure - Student Records ³¹

Student Records Defined

A student record is any record that contains personally identifiable information or other information that would link the document to an individual student if it is maintained by the District, except records kept: (1) in a school staff member's sole possession destroyed not later than the student's graduation or permanent withdrawal, and not accessible or revealed to any other person except a temporary substitute teacher, or (2) by law enforcement officials working in the school. ³²

Maintenance of School Student Records

The District maintains two types of school records for each student: a *permanent* record and a *temporary* record.

The *permanent record* shall include: ³³

- Basic identifying information, including the student's name and address, birth date and place, gender, and the names and addresses of the student's parent(s)/guardian(s)
- Academic transcripts, including grades, class rank, graduation date, grade level achieved, and scores on college entrance examinations
- Attendance record
- Accident and health reports
- Record of release of permanent record information in accordance with 105 ILCS 10/6(c)
- Scores received on all State assessment tests administered at the high school level (that is, grades 9 through 12)

The *permanent record* may include: ³⁴

- Honors and awards received
- School-sponsored activities and athletics

No other information shall be kept in the permanent record. The permanent record shall be maintained for at least 60 years after the student graduated, withdrew, or transferred. ³⁵

All information not required to be kept in the student permanent record is kept in the student *temporary record* and must include: ³⁶

- A record of release of temporary record information in accordance with 105 ILCS 10/6(c)

³¹ Both federal (Family Education Rights and Privacy Act (FERPA), 20 U.S.C. §1232g and State (Illinois School Student Records Act, 105 ILCS 10/1 et seq.) laws govern student school records. These laws differ in many respects. State law requires school boards to adopt policy and procedures implementing the Student Records Act and specifying the content of school records (23 Ill.Admin.Code §§375.100 and 226.135). The release of confidential information given by a student to a therapist (e.g., school counselor or psychologist) is not included in these procedures but is governed by the Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/1 et seq.

³² 20 U.S.C. §1232g(a)(4)(A); 34 C.F.R. §99.3; 105 ILCS 10/2(d).

³³ This list is from 23 Ill.Admin.Code §375.10

³⁴ Id.

³⁵ Required by 105 ILCS 10/4(e).

³⁶ 105 ILCS 5/2-3.64(a), 10/2, and 10/6(c). This list is from 23 Ill.Admin.Code §375.10 and §228.15(d).

Scores received on the State assessment tests administered in the elementary grade levels (that is, kindergarten through grade 8)
Information regarding serious infractions (that is, those involving drugs, weapons, or bodily harm to another) that resulted in expulsion, suspension, or the imposition of punishment or sanction
Information provided under the Abused and Neglected Child Reporting Act (325 ILCS 5/8.6), including any final finding report received from a Child Protective Service Unit

³⁷

Completed home language survey

The *temporary record* may include: ³⁸

Family background information

Intelligence test scores, group and individual

Aptitude test scores

Reports of psychological evaluations, including information on intelligence, personality and academic information obtained through test administration, observation, or interviews

Elementary and secondary achievement level test results

Participation in extracurricular activities, including any offices held in school-sponsored clubs or organizations

Honors and awards received

Teacher anecdotal records

Other disciplinary information

Special education files, including the report of the multidisciplinary staffing on which placement or nonplacement was based, and all records and tape recordings relating to special education placement hearings and appeals

Verified reports or information from non-educational persons, agencies, or organizations

Verified information of clear relevance to the student's education

Information in the temporary record will indicate authorship and the date it was added to the record. ³⁹ The District will maintain the student's temporary record for at least 5 years after the student transferred, graduated, or permanently withdrew. ⁴⁰ Temporary records that may be of assistance to a student with disabilities who graduates or permanently withdraws, may, after 5 years, be transferred to the parent(s)/guardian(s) or to the student, if the student has succeeded to the rights of the parent(s)/guardian(s). ⁴¹

The Building Principal is the records custodian for his or her respective building and is responsible for the maintenance, care, and security of a student's permanent or temporary records. ⁴² Upon a student's graduation, transfer, or permanent withdrawal, the Building Principal or designee shall notify the parent(s)/guardian(s) and the student when the student's permanent and temporary school records are scheduled to be destroyed and of their right to request a copy. ⁴³ Before any school student record is destroyed or information deleted therefrom, the parent/guardian must be given reasonable prior notice at his or her last known address and an opportunity to copy the record and information proposed to be destroyed or deleted. ⁴⁴ Student records shall be reviewed at least every 4 years, or upon a student's change in attendance centers, whichever occurs first, to verify entries and correct inaccurate information. ⁴⁵

³⁷ 23 Ill.Admin.Code §375.40(f). 325 ILCS 5/8.6 requires a Child Protective Service Unit to send a copy of its final finding report to the school that the child who is the indicated victim of the report attends. Upon the Dept. of Children and Family Services' request, the school must purge the final finding report from the student's record and return the report to the Department. If a school has transferred the report to another school as part of the transfer of the student's records, the sending school shall forward a copy of the Department's request to the receiving school, which shall comply.

³⁸ Id. The definition of a student record in the first section of this sample procedure specifically exempts the following: (1) records kept in the sole possession of a school staff member that are destroyed not later than the student's graduation or permanent withdrawal and that are not accessible or revealed to any other person except a temporary substitute teacher, and (2) records kept by law enforcement officials working in the school.

³⁹ 105 ILCS 10/4(d).

⁴⁰ 105 ILCS 10/4(f).

⁴¹ 23 Ill.Admin.Code §375.40(d).

⁴² 105 ILCS 10/4(a). No student record can be destroyed without the appropriate Local Records Commission's approval (50 ILCS 205/1 et seq.).

⁴³ 23 Ill.Admin.Code §375.40(c); the notification must include the date of notification, parent name, name of records custodian, name of students, and the scheduled destruction date of temporary and permanent records.

⁴⁴ 105 ILCS 10/4(h).

⁴⁵ 23 Ill.Admin.Code §375.40(b).

The District uses students' Social Security numbers for intra-school identification purposes, if at all. However, school officials may not require students or their parents/guardians to provide them.⁴⁶ Absent a court order or subpoena, school officials do not provide educational records to the Immigration and Naturalization Service.

Access to Student Records

The District shall grant access to student records as follows:

1. Neither the District nor any of its employees shall release, disclose, or grant access to information found in any student record except under the conditions set forth in the Illinois School Student Records Act.⁴⁷
2. The parent(s)/guardian(s) of a student under 18 years of age, or designee, shall be entitled to inspect and copy information in the child's school records; a student less than 18 years old may inspect or copy information in the student's permanent school record.⁴⁸ Such requests shall be made in writing and directed to the Building Principal. Access to the records shall be granted within 15 days of the District's receipt of such a request.⁴⁹

Where the parents/guardians are divorced or separated, both shall be permitted to inspect and copy the student's school records unless the District has actual notice of a court order indicating otherwise.⁵⁰ The District shall send copies of the following to both parents/guardians at either's request, unless the District has actual notice of a court order indicating otherwise:⁵¹

- a. Academic progress reports or records;
- b. Health reports;
- c. Notices of parent-teacher conferences;
- d. School calendars distributed to parents/guardians; and
- e. Notices about open houses, graduations, and other major school events including pupil-parent/guardian interaction.

When the student reaches 18 years of age, graduates from high school, marries, or enters military service all rights and privileges accorded to parent(s)/guardian(s) become exclusively those of the student.⁵²

Access shall not be granted the parent(s)/guardian(s) or the student to confidential letters and recommendations concerning the admission to a post-secondary educational institution, applications for employment or the receipt of an honor or award which were placed in the records prior to January 1, 1975, provided such letters and statements are not used for purposes other than those for which they were specifically intended. Access shall not be granted to such letters and statements entered into the record at any time if the student has waived his or her right of access after being advised of his or her right to obtain the names of all persons making such confidential letters and statements.⁵³

⁴⁶ The federal Privacy Act of 1974, 5 U.S.C. §552a, as supplemented by Pub.L. 93-579, Disclosure of Social Security Numbers, §7 provides that:

(a)(1) It shall be unlawful for any Federal, State or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security account number. (2) [The] provisions of paragraph (1) of this subsection shall not apply with respect to-- (A) any disclosure which is required by Federal statute, or (B) the disclosure of a social security number to any Federal, State, or local agency maintaining a system of records in existence and operating before January 1, 1975, if such disclosure was required under statute or regulation adopted prior to such date to verify the identity of an individual.

(b) Any Federal, State, or local government agency which requests an individual to disclose his social security account number shall inform that individual whether that disclosure is mandatory or voluntary, by what statutory or other authority such number is solicited, and what uses will be made of it.

⁴⁷ Placing a memo reporting a student suspension in teachers' mailboxes violates the School Student Records Act if other students have access to it because they retrieve teachers' mail. Sieck v. Oak Park-River Forest High School, 807 F.Supp. 73 (N.D. Ill., E.D., 1992).

Students grading each other's work assignments and tests, and then calling out the grades to the teacher does not violate FERPA (Owasso I.S.D. No. I-011 v. Falvo, 122 S.Ct. 934 (2002)).

⁴⁸ 105 ILCS 10/5. Either the parent(s)/guardian(s) or the district may request a qualified professional to be present to interpret the student's records (105 ILCS 10/5(b)). If the school makes the request, it is responsible for securing and bearing the cost of the professional's presence.

⁴⁹ 105 ILCS 10/5(c).

⁵⁰ In most cases, an order of protection will deny access to a child's school records to a parent against whom an order of protection was issued (750 ILCS 60/214 (b)(15)).

⁵¹ 105 ILCS 5/10-21.8 and 10/2(g); 34 C.F.R. §99.4.

⁵² 105 ILCS 10/2(g).

⁵³ 105 ILCS 10/5(e).

3. The District may grant access to, or release information from, student records without parental/guardian consent or notification to District employees or officials or the Illinois State Board of Education, provided a current, demonstrable, educational or administrative need is shown.⁵⁴ Access in such cases is limited to the satisfaction of that need.
4. The District may grant access to, or release information from, student records without parental/guardian consent or notification to any person for the purpose of research, statistical reporting, or planning, provided that no student or parent(s)/guardian(s) can be identified from the information released, and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records.⁵⁵
5. The District shall grant access to, or release information from, a student's records pursuant to a court order, provided that the parent(s)/guardian(s) shall be given prompt written notice of such order's terms, the nature and substance of the information proposed to be released, and an opportunity to inspect and copy such records and to challenge their contents.⁵⁶ However, the District will comply with an *ex parte* court order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to or the consent of the student's parent(s)/guardian(s).⁵⁷
6. The District shall grant access to, or release information from, any student record as specifically required by federal or State statute.⁵⁸
7. The District shall grant access to, or release information from, student records to any person possessing a written, dated consent, signed by the parent(s)/guardian(s) or eligible student stating to whom the records may be released, the information or record to be released, and the reason for the release.⁵⁹ One copy of the consent form will be kept in the records and one copy is mailed to the parent(s)/guardian(s) or eligible student by the Superintendent. Whenever the District requests the consent to release certain records, the Building Principal shall inform the parent(s)/guardian(s) or eligible student of the right to limit such consent to specific portions of information in the records.
8. The District may release student records to the Building Principal of another Illinois school, or an official with similar responsibilities in a non-Illinois school, in which the student has enrolled or intends to enroll, upon written request from such official.⁶⁰
9. Prior to the release of any records, or information under items 6 and 8 above, the District shall provide prompt written notice to the parent(s)/guardian(s) or eligible student of this intended action.⁶¹ This notification shall include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents. If the release is under 6 above and relates to more than 25 students, a notice published in the newspaper is sufficient.
10. The District may release student records, or information in connection with an emergency without parental consent if the knowledge of such information is necessary to protect the health or safety of the student or other persons.⁶² The Building Principal shall make this decision taking into consideration the nature of the emergency, the seriousness of the threat to the health or safety of the student or other persons, the need for such records to meet the emergency, and whether the persons to whom such records are released are in a position to deal with the emergency. The District shall notify the parent(s)/guardian(s) or eligible student as soon as possible of the information released, the date of the release, the person, agency or organization to whom the release was made, and the purpose of the release.⁶³
11. The District shall grant access to, or release information from student records to juvenile authorities when necessary for the discharge of their official duties upon their request before the student's adjudication, provided they certify in writing that the information will not be disclosed to any other party except as provided under law or order of court. "Juvenile authorities" means: (a) a circuit court judge and court staff members designated by the judge; (b) parties to the proceedings under the Juvenile Court Act of 1987 and their attorneys; (c) probation officers and court appointed advocates for the juvenile authorized by the judge hearing the case; (d) any individual, public or private agency having court-ordered custody of the child; (e) any individual, public or private agency providing education, medical or mental health service to the child when the requested information is needed to determine the appropriate service or treatment for the minor; (f) any potential placement provider when such release is

⁵⁴105 ILCS 10/6(a)(2), 23 Ill.Admin.Code §375.70. Individual board members do not have a right to see student records merely by virtue of their office.

⁵⁵ 105 ILCS 10/6(a)(4), 23 Ill.Admin.Code §375.70.

⁵⁶ 105 ILCS 10/6(a)(5), 23 Ill.Admin.Code §375.70, 34 C.F.R. §399.31(a)(9).

⁵⁷ 20 U.S.C. §1232(g)(j), as added by the Sec. 507 of the U.S.A. Patriot Act of 2001. An *ex parte* order is an order issued by a court of competent jurisdiction without notice to an adverse party.

⁵⁸ 105 ILCS 10/6(a)(6), 23 Ill.Admin.Code §375.70.

⁵⁹ 105 ILCS 10/6(a)(8), 23 Ill.Admin.Code §375.70.

⁶⁰ 105 ILCS 10/6(a)(3). See policy 705.04, *School Admissions and Student Transfers To and From Non-District Schools*.

⁶¹ 105 ILCS 10/6(b), 23 Ill.Admin.Code §375.70.

⁶² 105 ILCS 10/6(a)(7), 34 C.F.R. §99.36.

⁶³ 23 Ill.Admin.Code §375.60.

authorized by the court to determine the appropriateness of the potential placement; (g) law enforcement officers and prosecutors; (h) adult and juvenile prisoner review boards; (i) authorized military personnel; and (j) individuals authorized by court.⁶⁴

12. The District shall grant access to, or release information from student records, to a SHOCAP (Serious Habitual Offender Comprehensive Action Program) committee member, provided that:
 - a. The committee member is a State or local official or authority,
 - b. The disclosure concerns the juvenile justice system's ability to effectively serve, prior to adjudication, the student whose records are to be released and the official or authority certifies in writing that the records will not be disclosed to any other party except as provided under State law without the prior written consent of the student's parent(s)/guardian(s),
 - c. The disclosure's purpose is limited to identifying serious habitual juvenile offenders and matching those offenders with community resources pursuant to Section 5-145 of the Juvenile Court Act of 1987, and
 - d. The release, transfer, disclosure, or dissemination consistent with the Family Educational Rights and Privacy Act.⁶⁵
13. The District charges \$.35 per page for copying information from a student's records. No parent(s)/guardian(s) or student shall be precluded from copying information because of financial hardship.
14. Except as provided below, a record of all releases of information from student records (including all instances of access granted whether or not records were copied) shall be kept and maintained as part of such records.⁶⁶ This record shall be maintained for the life of the student record and shall be accessible only to the parent(s)/guardian(s) or eligible student, Building Principal, or other person. The record of release shall include:
 - a. Information released or made accessible.
 - b. The name and signature of the Building Principal.
 - c. The name and position of the person obtaining the release or access.
 - d. The date of the release or grant of access.
 - e. A copy of any consent to such release.

No record of a disclosure is maintained when records are disclosed according to the terms of an *ex parte* court order.⁶⁷

Orders of Protection

Upon receipt of a court order of protection, the Building Principal shall file it in the records of a child who is the "protected person" under the order of protection. No information or records shall be released to the Respondent named in the order of protection. When a child who is a "protected person" under an order of protection transfers to public or private school, or as soon as possible, the Building Principal shall, at the request of the Petitioner, provide, within 24 hours of the transfer or as soon as possible, written notice of the order of protection, along with a certified copy of the order, to the school to which the child is transferring.⁶⁸

Directory Information⁶⁹

The District may release certain directory information regarding students, except that a student's parent(s)/guardian(s) may prohibit the release of the student's directory information. Directory information is limited to:

⁶⁴ 105 ILCS 10/6(a)(6.5).

⁶⁵ 105 ILCS 10/6(a)(10). This law allows disclosure to SHOCAP committee members who are "state and local officials and authorities" as those terms are used in the federal Family Educational Rights and Privacy Act. This federal law does not define "state and local officials and authorities;" rather, it limits when disclosure may be made to such officials and authorities. Those limitations are contained in subsection (b) of this sample policy.

⁶⁶ 105 ILCS 10/6(c).

⁶⁷ 20 U.S.C. §1232(g)(j)(4), as added by the Sec. 507 of the U.S.A. Patriot Act of 2001.

⁶⁸ This sentence is optional in that 750 ILCS 60/222 states that, "the institution from which the child is transferring **may** [emphasis added], at the request of the petitioner, provide, within 24 hours of the transfer, written notice of the order of protection, along with a certified copy of the order, to the institution to which the child is transferring." Note that "or as soon as possible" was added to make the policy reasonable.

⁶⁹ A school's authority to release directory information, and the parents' right to disallow its release, is provided by both federal (Family Education Rights and Privacy Act, 20 U.S.C. §1232g and 34 C.F.R. §99.3) and State (Illinois School Student Records Act, 105 ILCS 10/1 et seq.) laws. The amendments to the federal rules in 2000 (34 C.F.R. §899.3(b) include e-mail addresses and photographs in the definition of "directory information." As State law was not so amended, a district may not include e-mail addresses and photographs in its definition. Photographs or videotapes of a student's picture released without identifying the student's name are not a school record because the student is not individually identified. Using this reasoning, photographs and videotapes could be released as

Name
Address
Gender
Grade level
Birth date and place
Parents'/guardians' names and addresses
Academic awards, degrees, and honors
Information in relation to school-sponsored activities, organizations, and athletics
Major field of study
Period of attendance in school

The notification to parents/guardians and students concerning school records will inform them of their right to object to the release of directory information.⁷⁰

Student Record Challenges

The parents/guardians may challenge the accuracy, relevancy, or propriety of their student's school records. However when the student's school records are being forwarded to another school, no challenge may be made to grades or references to expulsions or out-of-school suspensions.⁷¹ The parents/guardians have the right to request a hearing at which each party has the right to:

1. Present evidence and to call witnesses;
2. Cross-examine witnesses;
3. Counsel;
4. A written statement of any decision and the reasons therefore; and
5. Appeal an adverse decision to an administrative tribunal or official to be established or designated by the State Board.⁷²

The parent(s)/guardian(s) may insert a written statement of reasonable length describing their position on disputed information.⁷³ The school will include a copy of the statement in any release of the information in dispute.

LEGAL REF.: 20 U.S.C. §1232(g)(j).

Owasso I.S.D. No. I-011 v. Falvo, 122 S.Ct. 934 (2002).

Chicago Tribune Co. v. Chicago Bd. of Ed., 773 N.E.2d 674 (Ill.App.1, 2002).

Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99.

105 ILCS 5/10-21.8 and 10/1 et seq.

23 Ill.Admin.Code §375.

Adm. Reg. 7:340 (a) E

Students

Exhibit - Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records⁷⁴

This notification may be distributed by any means likely to reach the parents/guardians.

The District maintains two types of school records for each student: *permanent* record and *temporary* record. These records may be integrated.

any other school "news" item, provided the student's identity is not disclosed. District's should seek the student's parent(s)/guardian(s) permission to use photographs and/or videotapes of a named student.

⁷⁰ Districts may include this notice with the more comprehensive notification of student rights under the Illinois School Student Records Act, which is given "upon the initial enrollment or transfer of a student to the school" (23 Ill.Admin.Code §§375.30 and 375.80). See 7:340, *Notification to Parents and Students of Rights Concerning a Student's School Records*. Federal law and regulations require that parents be given the time period within which they may object to the release of directory information (20 U.S.C. §1232g, 34 C.F.R. §99.37).

⁷¹ 105 ILCS 10/7, 23 Ill.Admin.Code §375.90.

⁷² 105 ILCS 10/7(b).

⁷³ Id.; 34 C.F.R. §99.22.

⁷⁴ This notification was based on the "Model Notification" published by the U.S. Department of Education. Changes were made to comply with the Ill. School Student Records Act, 105 ILCS 10/1 et seq.

The *permanent record* shall include: ⁷⁵

- Basic identifying information, including the student's name and address, birth date and place, gender, and the names and addresses of the student's parent(s)/guardian(s)
- Academic transcripts, including grades, class rank, graduation date, grade level achieved, and scores on college entrance examinations
- Attendance record
- Accident and health reports
- Record of release of permanent record information in accordance with 105 ILCS 10/6(c)
- Scores received on all State assessment tests administered at the high school level (that is, grades 9 through 12)

The *permanent record* may include: ⁷⁶

- Honors and awards received
- School-sponsored activities and athletics

No other information shall be kept in the permanent record. The permanent record shall be maintained for at least 60 years after the student graduated, withdrew, or transferred. ⁷⁷

All information not required to be kept in the student permanent record is kept in the student *temporary record* and must include: ⁷⁸

- A record of release of temporary record information in accordance with 105 ILCS 10/6(c)
- Scores received on the State assessment tests administered in the elementary grade levels (that is, kindergarten through grade 8)
- Information regarding serious infractions (that is, those involving drugs, weapons, or bodily harm to another) that resulted in expulsion, suspension, or the imposition of punishment or sanction
- Information provided under the Abused and Neglected Child Reporting Act (325 ILCS 5/8.6), including any final finding report received from a Child Protective Service Unit ⁷⁹

Completed home language survey ⁸⁰

The *temporary record* may include: ⁸¹

- Family background information
- Intelligence test scores, group and individual
- Aptitude test scores
- Reports of psychological evaluations, including information on intelligence, personality and academic information obtained through test administration, observation, or interviews
- Elementary and secondary achievement level test results
- Participation in extracurricular activities, including any offices held in school-sponsored clubs or organizations
- Honors and awards received
- Teacher anecdotal records
- Other disciplinary information
- Special education files, including the report of the multidisciplinary staffing on which placement or nonplacement was based, and all records and tape recordings relating to special education placement hearings and appeals
- Verified reports or information from non-educational persons, agencies, or organizations
- Verified information of clear relevance to the student's education

⁷⁵ This list is from 23 Ill.Admin.Code §375.10.

⁷⁶ Id.

⁷⁷ Required by 105 ILCS 10/4(e).

⁷⁸ 105 ILCS 5/2-3.64(a), 10/2, and 10/6(c). This list is from 23 Ill.Admin.Code §375.10 and §228.15(d).

⁷⁹ 23 Ill.Admin.Code §375.40(f). 325 ILCS 5/8.6 requires a Child Protective Service Unit to send a copy of its final finding report to the school that the child who is the indicated victim of the report attends. Upon the Dept. of Children and Family Services' request, the school must purge the final finding report from the student's record and return the report to the Department. If a school has transferred the report to another school as part of the transfer of the student's records, the sending school shall forward a copy of the Department's request to the receiving school, which shall comply.

⁸⁰ 23 Ill.Admin.Code §228.15(d).

⁸¹ Id. The definition of a student record in the first section of this sample procedure specifically exempts the following: (1) records kept in the sole possession of a school staff member that are destroyed not later than the student's graduation or permanent withdrawal and that are not accessible or revealed to any other person except a temporary substitute teacher, and (2) records kept by law enforcement officials working in the school.

The Family Educational Rights and Privacy Act (FERPA) and the Illinois Student Records Act afford parents/guardians and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. They are:

1. The right to inspect and copy the student’s education records within 15 school days of the day the District receives a request for access.

The degree of access a student has to his or her records depends on the student’s age. Students less than 18 years of age have the right to inspect and copy only their permanent record. Students 18 years of age or older have access and copy rights to both permanent and temporary records. Parents/guardians or students should submit to the Building Principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The Principal will make arrangements for access and notify the parent(s)/guardian(s) or student of the time and place where the records may be inspected. The District charges \$.35 per page for copying but no one will be denied their right to copies of their records for inability to pay this cost.

These rights are denied to any person against whom an order of protection has been entered concerning a student (105 ILCS 5/10-22.3c and 10/5a, and 750 ILCS 60/214(b)(15).

2. The right to request the amendment of the student’s education records that the parent(s)/ guardian(s) or eligible student believes are inaccurate, misleading, irrelevant, or improper.

Parents/guardians or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, irrelevant, or improper. They should write the Building Principal or records custodian, clearly identify the record they want changed, and specify the reason.

If the District decides not to amend the record as requested by the parents/guardians or eligible student, the District will notify the parents/guardians or eligible student of the decision and advise him or her of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.

3. The right to permit disclosure of personally identifiable information contained in the student’s education records, except to the extent that the FERPA or Illinois School Student Records Act authorizes disclosure without consent.

Disclosure is permitted without consent to school officials with legitimate educational or administrative interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or any parent(s)/guardian(s) or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses education records without consent to officials of another school district in which a student has enrolled or intends to enroll, as well as to any person as specifically required by State or federal law. Before information is released to these individuals, the parents/guardians will receive prior written notice of the nature and substance of the information, and an opportunity to inspect, copy, and challenge such records.

When a challenge is made at the time the student’s records are being forwarded to another school to which the student is transferring, there is no right to challenge: (1) academic grades, or (2) references to expulsions or out-of-school suspensions.

Disclosure is also permitted without consent to: any person for research, statistical reporting or planning, provided that no student or parent(s)/guardian(s) can be identified; any person named in a court order; appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons; and juvenile authorities when necessary for the discharge of their official duties who request information before adjudication of the student.

4. The right to a copy of any school student record proposed to be destroyed or deleted.

Student records are reviewed every 4 years or upon a student’s change in attendance centers, whichever occurs first.

5. The right to prohibit the release of directory information concerning the parent’s/ guardian’s child.

Throughout the school year, the District may release directory information regarding students, limited to:

- Name
- Address
- Gender
- Grade level
- Birth date and place
- Parents’/guardians’ names and addresses
- Academic awards, degrees, and honors
- Information in relation to school-sponsored activities, organizations, and athletics
- Major field of study
- Period of attendance in school

Any parent/guardian or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the Building Principal within 30 days of the date of this notice. No directory information will be released within this time period, unless the parents/guardians or eligible student is specifically informed otherwise.

A photograph of an unnamed student is **not** a school record because the student is not individually identified. The District shall obtain the consent of a student's parents/guardians before publishing a photograph or videotape of the student in which the student is identified.

6. The right to request that military recruiters or institutions of higher learning not be granted access to your secondary school student's name, address, and telephone numbers without your prior written consent.

Federal law requires a secondary school to grant military recruiters and institutions of higher learning, upon their request, access to secondary school students' names, addresses, and telephone numbers, unless the parents/guardians request that the information not be disclosed without prior written consent. If you wish to exercise this option, notify the Building Principal where your student is enrolled for further instructions.

7. The right contained in this statement: No person may condition the granting or withholding of any right, privilege or benefits or make as a condition of employment, credit, or insurance the securing by any individual of any information from a student's temporary record which such individual may obtain through the exercise of any right secured under State law.

8. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.

The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington DC 20202-4605

Adm. Reg. 7:340 (b)

STUDENTS

Using a Photograph or Videotape of a Student

Distribute to parent(s)/guardian(s) at the time they register a child for school and/or annually at the beginning of the school year.

Pictures of Unnamed Students. Students may occasionally appear in photographs and videotapes taken by school staff members, other students, or other individuals authorized by the Building Principal. The school may use these pictures, without identifying the student, in various publications, including the school yearbook, school newspaper and school website. No consent or notice is needed or will be given before the school uses pictures of unnamed students taken while they are at school or a school-related activity.

Pictures of Named Students. Many times, however, the school will want to identify a student in a school picture. School officials want to acknowledge those students who participate in a school activity or deserve special recognition.

In order for the school to publish a picture with a student identified by name, one of the student's parents or guardians must sign a consent form. Please complete and sign this form to allow the school to publish and otherwise use photographs and videotapes, with your child or ward identified, while he or she is enrolled in this school.

I grant consent to Mount Vernon City Schools, District 80 to identify a picture of my child or ward, by full name and/or the school he or she attends, in any school sponsored material, publication, videotape, or website. This consent is valid for the entire time my child or ward is enrolled in _____ School.

I may revoke this consent at any time by notifying the Building Principal.

Signed Parent's/Guardian's Name Printed Parent's/Guardian's Name

Date

Child or Ward's Name

Pictures of Students Taken by Non-school Agencies. While the school limits access to school buildings by outside photographers, it has no control over news media or other entities that may publish a picture of a named or unnamed student. School staff members will not, however, identify a student for an outside photographer.

Special Education
The Instructional Support Team

The School Instructional Support Team is an approach in attempting to meet the needs of elementary age children experiencing some form of difficulty in school. The team accepts instructional support requests for students and, through a collaborative process, develops strategies for implementations to address the students' difficulties. The Instructional Support Team (IST) is based upon the concept of intra-professional support. The Instructional Support Team (IST) can be perceived to be a part of special education programming by serving as a mechanism for screening those who may be eligible for special education. However, its primary activity is to provide intervention recommendations for at risk students in regular education programs.

The IST Process is composed of the following five components:

- A. Curriculum Assessment
- B. Instructional Adaptation
- C. Behavior Management
- D. Student Life Skills
- E. Collaborative Problem Solving

SPECIAL EDUCATION

Ancillary and psychological services are provided by Franklin-Jefferson Special Education District 801 through local district membership in this two county joint agreement. Access for student evaluation for services and special education programs, or student transfer from other school districts, can be easily accessed by the parent signing a "request for services" form in the principal's office at the local school building.

Special education programs available to students are:

- g. Visual impairment
- h. Hearing impairment
- i. Physical and health impairment
- j. Speech and/or language impairment
- k. Specific learning disability
- l. Behavior disorder
- m. Mental impairment
- n. Multiple impairment

Related services provided by the school district include:

- a. Speech and language evaluation/therapy/consultation
- b. School psychological evaluation & assistance
- c. School social work
- d. Special reader services, Braillists, typists, and interpreters
- e. Physical and occupational therapy
- f. Other professional/medical/health consultant services.

SPECIAL EDUCATION EVALUATION PROCESS

A parent signed request for a special education evaluation initiates a process of required steps and timelines for completion. Sixty (60) school days are required to complete a full case study and the components thereof:

- a. Case study referral packet;
- b. Appropriate relevant evaluation by appropriately certified personnel;
- c. Multi-disciplinary staff conference for determination of results
- d. Individual education program goal meeting, if placement is determined as necessary;
- e. Placement in an educational program, or beginning of related services and goals.

TIMELINE FOR PLACEMENT

Special education placement shall be made as soon as possible after the determination of eligibility and need for such placement but in no case shall placement occur later than the beginning of the next school semester.

- a. When special education placement is not possible prior to the next school semester, the local school district is responsible for providing interim services between placement determination and actual placement.
- b. The local school district will provide written notification to the parents of the child and the State Superintendent of Education regarding the nature of the services the child will receive in the interim. Written verification of the provision of these services are kept in the child's temporary student record.

Community Relations

Visitors to and Conduct on School Property

The following definitions apply to this policy:

School property - District and school buildings, grounds, and parking areas; vehicles used for school purposes; and any location used for a School Board meeting, school athletic event, or other school-sponsored event.

Visitor - Any person other than an enrolled student or District employee.

All visitors to school property are required to report to the Building Principal's office and receive permission to remain on school property. All visitors must sign a visitors' log, show identification, and wear a visitor's badge. When leaving the school, visitors must return their badge. On those occasions when large groups of parents and friends are invited onto school property, visitors are not required to sign in but must follow school officials' instructions. Persons on school property without permission will be directed to leave and may be subject to criminal prosecution.

Except as provided in the next paragraph, any person wishing to confer with a staff member should contact that staff member by telephone or email to make an appointment. Conferences with teachers are held, to the extent possible, outside school hours or during the teacher's conference/preparation period.

Requests to access a school building, facility, and/or educational program, or to interview personnel or a student for purposes of assessing the student's special education needs, should be made at the appropriate building. Access shall be facilitated according to guidelines from the Superintendent or designee.

The School District expects mutual respect, civility, and orderly conduct among all people on school property or at a school event. No person on school property or at a school event (including visitors, students, and employees) shall perform any of the following acts:

1. Strike, injure, threaten, harass, or intimidate a staff member, a Board member, sports official or coach, or any other person;
2. Behave in an unsportsmanlike manner, or use vulgar or obscene language;
3. Possess a weapon, any object that can reasonably be considered a weapon or looks like a weapon or any dangerous device; however, an individual licensed to carry a concealed firearm under the Illinois Firearm Concealed Carry Act is permitted to carry a concealed firearm within a vehicle into a parking area controlled by a school or District and may store a firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area;
4. Damage or threaten to damage another's property;
5. Damage or deface school property;
6. Violate any Illinois law, or town or county ordinance;
7. Smoke or otherwise use tobacco products;
8. Consume, possess, distribute, or be under the influence of an alcoholic beverage or illegal drug.
9. Use or possess medical cannabis.
10. Impede, delay, disrupt, or otherwise interfere with any school activity or function (including using cellular phones in a disruptive manner);
11. Enter upon any portion of school premises at any time for purposes other than those that are lawful and authorized by the Board;
12. Operate a motor vehicle: (a) in a risky manner, (b) in excess of 20 miles per hour, or (c) in violation of an authorized District employee's directive;
13. Engage in any risky behavior, including roller-blading, roller-skating, or skateboarding;
14. Violate other District policies or regulations, or a directive from an authorized security officer or District employee; or
15. Engage in any conduct that interferes with, disrupts, or adversely affects the District or a School function.

Convicted Child Sex Offender

State law prohibits a child sex offender from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present, unless the offender meets either of the following two exceptions:

1. The offender is a parent/guardian of a student attending the school and has notified the Building Principal of his or her presence at the school for the purpose of: (i) attending a conference with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion; or
2. The offender received permission to be present from the Board, Superintendent, or Superintendent's designee. If permission is granted, the Superintendent or Board President shall provide the details of the offender's upcoming visit to the Building Principal.

In all cases, the Superintendent, or designee who is a certified employee, shall supervise a child sex offender whenever the offender is in a child's vicinity.

Exclusive Bargaining Representative Agent

Please refer to the following current agreements:

Agreement Between the Board of Education Mount Vernon City Schools, District 80 and Mount Vernon Education Association IEA-NEA.

Agreement Between Mt. Vernon Association of Classified Employees IEA/NEA and Mount Vernon City Schools, District 80.

For employees not covered by these agreements:

Authorized agents of an exclusive bargaining representative, upon notifying the Building Principal's office, may meet with a school employee (or group of employees) in the school building during free-times of such employees.

Enforcement

Any staff member may request identification from any person on school property; refusal to provide such information is a criminal act. The Building Principal or designee shall seek the immediate removal of any person who refuses to provide requested identification.

Any person who engages in conduct prohibited by this policy may be ejected from school property. The person is also subject to being denied admission to school events or meetings for up to one calendar year.

Procedures to Deny Future Admission to School Events or Meetings

Before any person may be denied admission to school events or meetings as provided in this policy, the person has a right to a hearing before the Board. The Superintendent may refuse the person admission pending such hearing. The Superintendent or designee must provide the person with a hearing notice, delivered or sent by certified mail with return receipt requested, at least 10 days before the Board hearing date. The hearing notice must contain:

1. The date, time, and place of the Board hearing,
2. A description of the prohibited conduct,
3. The proposed time period that admission to school events will be denied, and
4. Instructions on how to waive a hearing.

LEGAL REF.: Nuding v. Cerro Gordo Community Unit School Dist., 730 N.E.2d 96 (Ill.App.4, 2000).
 Pro-Children Act of 1994, 20 U.S.C. §7181 et seq.
 105 ILCS 5/10-20.5b, 5/24-24, and 5/24-25.
 410 ILCS 130/, Compassionate Use of Medical Cannabis Pilot Program.
 430 ILCS 66/, Firearm Concealed Carry Act.
 720 ILCS 5/11-9.3.

CROSS REF.: 4:170 (Safety), 5:50 (Drug- and Alcohol-Free Workplace; Tobacco Prohibition), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:190 (Student Discipline), 8:20 (Community Use of School Facilities)

ADOPTED: January 18, 2014

Community Relations

Accommodating Individuals With Disabilities

Individuals with disabilities shall be provided an opportunity to participate in all school-sponsored services, programs, or activities as those without disabilities and will not be subject to illegal discrimination. When appropriate, the District may provide to persons with disabilities aids, benefits, or services that are separate or different from, but as effective as, those provided to others.

The District will provide auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

Each service, program, or activity operated in existing facilities shall be readily accessible to, and useable by, individuals with disabilities. New construction and alterations to facilities existing before January 26, 1992, will be accessible when viewed in their entirety.

The Assistant Superintendent is designated the Title II Coordinator and shall:

Oversee the District's compliance efforts, recommend necessary modifications to the School Board, and maintain the District's final Title II self-evaluation document and keep it available for public inspection for at least 3 years after its completion date.

Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Superintendent or Building Principal if they have a disability that will require special assistance or services and, if so, what services are required. This notification should occur as far in advance as possible of the school-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Superintendent or designated Title II Coordinator, or by filing a grievance under the Uniform Grievance Procedure.

LEGAL REF.: Americans with Disabilities Act, 42 U.S.C. §§12101 et seq. and 12131 et seq.; 28 C.F.R. Part 35.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:150 (Facility Management and Expansion Programs)

MOUNT VERNON CITY SCHOOLS

Mrs. Aletta Lawrence
2710 North Street
Mount Vernon, IL 62864

August 17, 2015

Dear Parent:

Over the past decade, the Congress of the United States passed certain legislation requiring that every elementary and secondary school throughout the nation conduct inspections to identify asbestos-containing building materials and develop a plan to manage these materials to protect the health and safety of the building occupants. The purpose of this letter is to comply with regulations which require schools to inform you of the steps taken to identify and manage the asbestos building materials in our schools in order to protect the health of our students, parents, and staff.

As required, Mount Vernon City Schools, District 80 initiated a program to identify and manage all asbestos-containing building materials. District 80 has also designed a program to reduce the health risk posed by asbestos-containing building materials. District 80 employed engineering firms to conduct the required building inspections. These building inspections resulted in the identification and evaluation of asbestos-containing building materials in each of our school buildings and the development of a written plan to properly manage these materials. This plan includes:

- a. the ongoing observation and maintenance of all asbestos-containing materials;
- b. the removal of asbestos materials which are judged to pose a potential health risk;
- c. the clear identification of friable asbestos building materials with warning signs;
- d. the education of all of the school occupants concerning the location of potentially hazardous asbestos-containing materials in the buildings;
- e. the training for custodial, maintenance, and service personnel concerning the proper procedures and methods to be used when cleaning, maintaining, and working around asbestos-containing materials;
- f. the regular surveillance and re-inspection of all asbestos-containing building materials in the schools in order to monitor any change in condition;
- g. provisions to record all activities related to or affecting the asbestos-containing materials within our schools. These records are kept as part of the ongoing Asbestos Management Plan.

The written Asbestos Management Plans are kept in the Office of the Board of Education, 2710 North Street, Mount Vernon, Illinois, and are available for public review during normal school hours. We ask you to call 244-8080 to make an appointment to review these documents.

Sincerely,

Aletta Lawrence
Superintendent