

**EMMONS SCHOOL DISTRICT #33
BOARD OF EDUCATION POLICY MANUAL
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Students

Equal Educational Opportunities

Equal educational and extracurricular opportunities shall be available for all students without regard to race, color, national origin, sex, religious beliefs, physical and mental handicap or 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 Board policy 8:20, *Community Use of School Facilities*. Any student may file a discrimination grievance by using the Uniform Grievance Procedure.

Sex Equity

No student shall, based on sex, 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 the Uniform Grievance Procedure. A student may appeal the Board of Education's resolution of the complaint to the Regional Superintendent of Schools (pursuant to 105 ILCS 5/3-10 of The School Code) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8 of The School Code).

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 5/10-21.3, 5/10-22.5, 5/22-19, and 5/27-1.
 23 Ill.Admin.Code §§1.240, 200.40, and 200.50.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 6:210 (Instructional Materials), 7:20 (Harassment of Students Prohibited), 7:130 (Student Rights and Responsibilities), 8:20 (Community Use of School Facilities)

ADOPTED: March 13, 2006

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 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 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, P.A. 93-462.
105 ILCS 5/10-20.37.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 6:210 (Instructional Materials), 6:220 (Instructional Materials Selection and Adoption), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities)

ADOPTED: March 13, 2006

Students

Harassment of Students Prohibited

No person, including a District employee or agent, or student, shall harass or intimidate another student based upon a student's sex, color, race, religion, creed, ancestry, national origin, physical or mental disability, sexual orientation, or other protected group status. The District will not tolerate harassing or intimidating conduct, whether verbal, physical, or visual, that affects 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, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

Complaints of harassment or intimidation are handled according to the provisions on sexual harassment below. The Superintendent shall use reasonable measures to inform staff members and students that the District will not tolerate harassment, such as by including this policy in the appropriate handbooks.

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 engages in other verbal or physical conduct 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.

Students who believe they are victims of sexual harassment or have witnessed sexual harassment, are encouraged to discuss the matter with the student Nondiscrimination Coordinator, Building Principal, or a Complaint Manager. Students 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 one student was sexually harassed by another student shall be referred to the 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:

Name Mathias M. Tabar, Superintendent
Address 24226 W. Beach Grove Road
Antioch, IL 60002
Telephone No. 847/395-1105

Complaint Managers:

Name	<u>Mathias M. Tabar, Superintendent</u>	<u>Cynthia Vandrush, Principal</u>
Address	<u>24226 W. Beach Grove Road</u> <u>Antioch, IL 60002</u>	<u>24226 W. Beach Grove Road</u> <u>Antioch, IL 60002</u>
Telephone No.	<u>847/395-1105</u>	<u>874/395-1105</u>

The Superintendent shall use reasonable measures to inform staff members and students that the District will not tolerate sexual harassment, such as by including this policy in the appropriate handbooks.

Any District employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any District student who is determined, after an investigation, to have engaged in sexual harassment 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 sexual harassment 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.: Title IX of the Educational Amendments, 20 U.S.C. §1681 et seq.
34 C.F.R. Part 106.
105 ILCS 5/10-22.5 and 5/27-1.
23 Ill.Admin.Code §200.10 et seq.
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 (Sexual Harassment), 7:10 (Equal Educational Opportunities)

ADOPTED: March 13, 2006

Students

Student Assignment

Class Assignments

The Building Principal shall assign students to classes.

LEGAL REF.: 105 ILCS 5/10-21.3, 5/10-21.3a, and 5/10-22.5.

CROSS REF.: 4:170 (Safety), 6:15 (School Accountability), 6:140 (Education of Homeless Children)

ADOPTED: March 13, 2006

Students

Nonpublic School Students, Including Parochial and Home-Schooled Students

Part-Time Attendance

The District accepts nonpublic school students, including parochial and home-schooled students, who live within the District for part-time attendance in the District's regular education program on a space-available basis. Requests for part-time attendance must be submitted to the Principal of the school in the school attendance area where the student resides. All requests for attendance in the following school year must be submitted before May 1.

Students accepted for partial enrollment must comply with all discipline and attendance requirements established by the school. A private school student may attend any co-curricular activity associated with a District class in which he or she is enrolled. The parent(s)/guardian(s) of a student accepted for part-time attendance is responsible for all fees, pro-rated on the basis of a percentage of full-time fees. Transportation to and/or from school is provided to non-public school students on regular bus routes to or from a point on the route nearest or most easily accessible to the non-public school or student's home. This transportation shall be on the same basis as the District provides transportation for its full-time students. Transportation on other than established bus routes shall be the responsibility of the parent(s)/guardian(s).

Students with a Disability

The District will accept for part-time attendance those students with disabilities who live within the District and are enrolled in non-public schools. Requests must be submitted by the student's parent(s)/guardian(s). Special educational services shall be provided to such students as soon as possible after identification, evaluation, and placement procedures provided by State law, but no later than the beginning of the next school semester following the completion of such procedures. Transportation for such students shall be provided only if required in the child's individualized educational program on the basis of the child's disabling condition or as the special education program location may require.

Extracurricular Activities, Including Interscholastic Competition

A nonpublic school student is eligible to participate: (1) in interscholastic competition, provided his or her participation adheres to the regulations established by any association in which the School District maintains a membership, and (2) non-athletic extracurricular activities, provided the student attends a District school. A nonpublic student who participates in an extracurricular activity is subject to all policies, regulations, and rules that are applicable to other participants in the activity.

Assignment When Enrolling Full-Time in a District School

Grade placement by, and academic credits earned at, a nonpublic school will be accepted if the school has a Certificate of Nonpublic School Recognition from the Illinois State Board of Education, or, if outside Illinois, if the school is accredited by the state agency governing education.

A student who, after receiving instruction in a non-recognized or non-accredited school, enrolls in the District will: (1) be assigned to a grade level according to academic proficiency, and/or (2) have academic credits recognized by the District if the student demonstrates appropriate academic proficiency to the school administration. Any portion of a student's transcript relating to such instruction will not be considered for placement on the honor roll or computation in class rank.

Recognition of grade placement and academic credits awarded by a nonpublic school is at the sole discretion of the District. All school and class assignments will be made according to Board policy 7:30, *Student Assignment*, as well as administrative procedures implementing this policy.

LEGAL REF.: 105 ILCS 5/10-20.24 and 5/14-6.01.

CROSS REF.: 4:110 (Transportation), 6:190 (Extracurricular and Co-Curricular Activities),
7:30 (Student Assignment), 7:300 (Extracurricular Athletics)

ADOPTED: March 13, 2006

Students

School Admissions and Student Transfers To and From Non-District Schools

Age

To be eligible for admission, a child must be 5 years old on or before September 1 of that school term. Children who enter first grade must be 6 years of age on or before September 1 of that school year. A child with exceptional needs who qualifies for special education services is eligible for admission at 3 years of age.

Admission Procedure

All students must register for school each year on the dates and at the place designated by the Superintendent.

Parents/guardians of students enrolling in the District for the first time must present:

1. A certified copy of the student's birth certificate. Upon the failure of a person enrolling a student to provide a copy of the student's birth certificate, the Building Principal shall immediately notify the local law enforcement agency and shall also notify the person enrolling the student in writing that, unless he or she complies within 10 days, the case shall be referred to the local law enforcement authority for investigation. If compliance is not obtained within that 10-day period, the Principal shall so refer the case. The Principal shall immediately report to the local law enforcement authority any material received pursuant to this paragraph that appears inaccurate or suspicious in form or content.
2. Proof of residence, as required by Board policy 7:60, *Residence*.
3. Proof of disease immunization or detection and the required physical examination, as required by State law and Board policy 7:100, *Health Examinations, Immunizations, and Exclusion of Students*.

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 for enrollment. Board policy 6:140, *Education of Homeless Children*, and its implementing administrative procedure, govern the enrollment of homeless children.

Student Transfers To and From Non-District Schools

A student may transfer into or out of the District according to State law and procedures developed by the Superintendent. A student seeking to transfer into the District must serve the entire term of any suspension or expulsion, imposed for any reason by any public or private school, in this or any other state, before being admitted into the School District.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.
 Family Educational Rights and Privacy Act, 20 U.S.C. §1232.
 Illegal Immigrant and Immigrant Responsibility Act of 1996, 8 U.S.C. §1101.
 20 U.S.C. §1400 et seq.
 42 U.S.C. §12101 et seq.
 105 ILCS 5/2-3.13a, 5/10-20.12, 5/10-22.5a, 5/14-1.02, 5/14-1.03a, 5/26-1, 5/26-2,
 5/27-8.1, and 10/8.1.
 325 ILCS 55/1 et seq. and 50/1 et seq.
 23 Ill.Admin.Code §375 et seq.

CROSS REF.: 6:110 (Programs for Students at Risk of Academic Failure), 6:140 (Education of Homeless Children), 7:60 (Residence), 7:70 (Attendance and Truancy), 7:100 (Health Examinations, Immunizations, and Exclusion of Students), 7:340 (Student Records)

ADOPTED: March 13, 2006

Students

Residence

Resident 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. In addition, the child's natural or adoptive parent, if available, shall 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 not attend the District school. However, if a family intends to establish residency within the District boundaries during the current school year, upon authorization of the Superintendent, the child/ren may begin the school year as students of Emmons School District 33. Upon registration, a deposit per student will be assessed. If residency is established by December 31 of the current year, the deposit will be fully refunded. If residency is not established by December 31, the student will be considered a non-resident student. The deposit will be used to offset tuition through December 31, and a per diem tuition charge will be implemented until residency is established. Starting January 1, all other provisions with respect to non-resident students will apply.

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. 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 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.
30 ILCS 220/11.
105 ILCS 5/10-20.12a, 5/10-20.12b, and 5/10-22.5.
105 ILCS 45/1-5.
23 Ill.Admin.Code §1.240(e).
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)

ADOPTED: March 13, 2006

Students

Attendance and Truancy

Compulsory School Attendance

Whoever has custody or control of a child between the ages of 7 and 17 years of age (unless the child has graduated from high school) 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, (5) any child absent because his or her religion forbids secular activity on a particular day, and (6) any child 16 years of age or older who is employed and is enrolled in a graduation incentives program.

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 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 for a 17 year old resident to participate in the District's various programs and resources for truants. The student must provide documentation of his/her dropout status for the previous 6 months. A request from an individual 19 years of age or older to re-enroll after having dropped out of school is handled according to provisions in 7:50, *Students School Admissions and Student Transfers To and From Non-District Schools*.
7. 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.

8. 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.
9. 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.
10. A protocol for making the notifications required by The School Code, Section 26-3a, concerning students who were removed from the regular attendance roll, exclusive of transferees, because they were expelled; have withdrawn; left school; withdrew due to extraordinary circumstances; have re-enrolled in school since their names were removed from the attendance rolls; were certified to be chronic or habitual truants; or were previously certified as chronic or habitual truants who have resumed regular school attendance. The status of a driver's license or instructional permit will be jeopardized for a student who is the subject of this notification because of non-attendance unless the non-attendance is due to extraordinary circumstances as determined by the criteria established below.
11. 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.
12. A process for the temporary exclusion of a student 17 years of age or older for failing to meet minimum academic or attendance standards according to provisions in The School Code, Section 26(c). A parent/guardian has the right to appeal a decision to exclude a student; the Illinois State Board of Education's rule will control the appeal process, 23 Ill.Admin.Code §1.242.

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: September 27, 2007

Students

Release Time for Religious Instruction/Observance

Religious Observance

A student shall be released from school, as an excused absence, for the purpose of observing a religious holiday. The parent(s)/guardian(s) must give written notice to the District 5 days before the student's anticipated absence.

The parent(s)/guardian(s)'s written notification of the student's anticipated absence shall satisfy the District's requirement for a written excuse when the student returns to school.

The Superintendent shall develop and distribute to teachers appropriate procedures regarding student absences for a religious holiday which include a list of religious holidays on which students shall be excused from attendance, how teachers are notified of a student's impending absence, and the State law requirement that teachers provide the student an equivalent opportunity to make up any examination, study, or work requirement.

Religious Instruction

A student shall be released from school for a day or portion of a day for the purpose of religious instruction. A letter, requesting the student's absence and written by the student's parent(s)/guardian(s), must be given to the Building Principal at least 5 days before the day the student is to be absent.

LEGAL REF.: Religious Freedom Restoration Act, 775 ILCS 35/5.
105 ILCS 5/26-1 and 5/26-2b.

CROSS REF.: 7:70 (Attendance and Truancy)

ADOPTED: March 13, 2006

Students

Release During School Hours

For safety and security reasons, the 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, and/or (2) to any person other than the custodial parent/guardian

CROSS REF.: 4:170 (Safety)

ADOPTED: March 19, 2007

Students

Health and Dental Examinations, Immunizations, and Exclusion of Students

Required Health Examinations and Immunizations

A student's parent(s)/guardian(s) shall present proof that the student received a health examination and the immunizations against, and screenings for, preventable communicable diseases, as required by the Illinois Department of Public Health, within one year prior to:

1. Entering kindergarten or the first grade;
2. Entering the fifth grade; and
3. Enrolling in an Illinois school, regardless of the student's grade (including nursery school, special education, headstart programs operated by elementary or secondary schools, and students transferring into Illinois from out-of-state or out-of-country).

As required by the Illinois Department of Public Health, a diabetes screening must be included as a required part of each health examination; diabetes testing is not required. The required health examinations must be performed by a physician licensed to practice medicine in all of its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician authorizing the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the performance of health examinations by a supervising physician.

Parents/guardians are encouraged to have their children undergo a vision examination whenever health examinations are required.

Unless the student is homeless, failure to comply with the above requirements by October 15 of the current school year will result in the student's exclusion from school until the required health forms are presented to the District. If a medical reason prevents a student from receiving a required immunization by October 15, the student must present, by October 15, an immunization schedule and a statement of the medical reasons causing the delay. The schedule and statement of medical reasons must be signed by the physician, advanced practice nurse, physician assistant, or local health department responsible for administering the immunizations. All new students who are first-time registrants shall have 30 days following registration to comply with the health examination and immunization regulations.

Parents/guardians of children between the ages of 6 months and 6 years must provide a statement from a physician that their child was "risk-assessed" or screened for lead poisoning in accordance with State law.

Dental Examination

All children in kindergarten and the second and sixth grades must present proof of having been examined by a licensed dentist before May 15 of the current school year in accordance with rules adopted by the Illinois Department of Public Health.

If a child in the second or sixth grade fails to present proof by May 15, the school may hold the child's report card until the child presents proof: (1) of a completed dental examination, or (2) that a dental examination will take place within 60 days after May 15. The Superintendent or designee shall ensure that parents/guardians are notified of this dental examination requirement at least 60 days before May 15 of each school year.

Exemptions

In accordance with rules adopted by the Illinois Department of Public Health, a student will be exempted from:

1. This policy's requirements on religious or medical grounds if the student's parents/guardians present to the Superintendent a signed statement explaining the objection,
2. The health examination or immunization requirements on medical grounds if a physician provides written verification, or
3. The dental examination requirement if the student's parents/guardians show an undue burden or a lack of access to a dentist.

Homeless Child

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce immunization and health records normally required for enrollment. Board policy 6:140, *Education of Homeless Children*, governs the enrollment of homeless children.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.
105 ILCS 5/27-8.1.
410 ILCS 45/7.1.
77 Ill.Admin.Code Part 665.

CROSS REF.: 6:140 (Education of Homeless Children), 6:180 (Extended Instructional Programs)

ADOPTED: March 13, 2006

Students

Student Rights and Responsibilities

All students are entitled to enjoy the rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting. These rights include the right to voluntarily engage in individually initiated, non-disruptive prayer that, consistent with the Free Exercise and Establishment Clauses of the U.S. and Illinois Constitutions, is not sponsored, promoted, or endorsed in any manner by the school or any school employee. Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate District policies or rules will be subject to disciplinary measures.

LEGAL REF.: 20 U.S.C. §7904.
105 ILCS 20/5.
Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969).

CROSS REF.: 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:160 (Student Appearance), 7:190 (Student Discipline)

ADOPTED: March 13, 2006

Students

Search and Seizure

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.

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 objectives 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 District 47J v. Acton, 115 S.Ct. 2386 (1995).

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

ADOPTED: March 13, 2006

Students

Agency and Police Interviews

The Superintendent shall manage requests by agency officials or police officers to interview students at school through procedures that: (1) recognize individual student rights and privacy, (2) minimize potential disruption, (3) foster a cooperative relationship with public agencies and law enforcement, and (4) comply with State law.

LEGAL REF.: 55 ILCS 80/1 et seq., Children's Advocacy Center Act.
325 ILCS 5/1 et seq., Abused and Neglected Child Reporting Act.
720 ILCS 5/31-1 et seq., Interference with Public Officers Act.
725 ILCS 120/1 et seq., Rights of Crime Victims and Witnesses Act.

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:190 (Student Discipline)

ADOPTED: March 19, 2007

Students

Student Appearance

Student dress and grooming must not disrupt the educational process, interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency. Procedures for handling students who dress or groom inappropriately will be developed by the Superintendent and included in the Student Handbook.

LEGAL REF.: 105 ILCS 5/10-22.25b.
Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline)

ADOPTED: March 13, 2006

Students

Vandalism

The Board will seek restitution from students and their parents/guardians for vandalism or other student acts that cause damage to school property.

LEGAL REF.: 740 ILCS 115/1 et seq.

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline)

ADOPTED: March 13, 2006

Students

Student Discipline

Prohibited Student Conduct

The school administration is authorized to discipline students for gross disobedience or misconduct, including, but not limited to:

1. Using, possessing, distributing, purchasing, or selling tobacco materials.
2. 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 have alcohol in their possession.
3. Using, possessing, distributing, purchasing, or selling:
 - a. Any illegal drug, controlled substance, or cannabis (including marijuana and hashish).
 - b. Any anabolic steroid not administered under a physician's care and supervision.
 - c. Any prescription drug when not prescribed for the student by a licensed physician or when used in a manner inconsistent with the prescription or prescribing physician's instructions.
 - d. 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.
 - e. "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.
 - f. 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.

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

4. Using, possessing, controlling, or transferring a weapon in violation of 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. Unless otherwise banned under this policy or by the Building Principal, all electronic devices must be kept 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. 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.
8. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, and wrongfully obtaining test copies or scores.
9. Engaging in any kind of aggressive behavior that does physical or psychological harm to another or any urging of other students to engage in such conduct. Prohibited conduct includes any use of violence, force, noise, coercion, threats, intimidation, fear, harassment, bullying, hazing, or other comparable conduct.
10. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.
11. Being absent without a recognized excuse; State law and Board policy on truancy control will be used with chronic and habitual truants.
12. Being involved with any public school fraternity, sorority, or secret society, by:
 - Being a member;
 - Promising to join;
 - Pledging to become a member; or
 - Soliciting any other person to join, promise to join, or be pledged to become a member.
13. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia.
14. Violating any criminal law, such as assault and battery, arson, theft, gambling, and hazing.
15. 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.

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, or automobile; (c) in a school's student locker, desk, or other school property; or (d) at any 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 physiological 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 or 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

Disciplinary measures may include:

1. Disciplinary conference.
2. Withholding of privileges.
3. Seizure of contraband.
4. Suspension from school and all school activities for up to 10 days, provided that appropriate procedures are followed. A suspended student is prohibited from being on school grounds.
5. Suspension of bus riding privileges, provided that appropriate procedures are followed.
6. Expulsion from school and all school-sponsored activities and events for a definite time period not to exceed 2 calendar years, provided that the appropriate procedures are followed. An expelled student is prohibited from being on school grounds.
7. Notifying juvenile authorities or other law enforcement whenever the conduct involves illegal drugs (controlled substances), “look-alikes,” alcohol, or weapons.
8. Notifying parents/guardians.
9. Temporary removal from the classroom.
10. In-school suspension for a period not to exceed 5 school days. The Building Principal or designee shall ensure that the student is properly supervised.
11. 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 designee.
12. Community service with local public and nonprofit agencies that enhance 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(s)/guardian(s) the choice.

A student who is subject to suspension or expulsion may be eligible for a transfer to an alternative school program.

Corporal punishment shall not be used. 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 uses, possesses, controls, or transfers a weapon, or any other object that can reasonably be considered, or looks like, a weapon, shall be expelled for at least one calendar year, but no more than 2 calendar years. The Superintendent may modify the expulsion period and the Board may modify the Superintendent’s determination, on a case-by-case basis. A “weapon” means

possession, use, control, or transfer of: (1) any gun, rifle, shotgun, a weapon as defined by Section 921 of Title 18, United States Code, firearm as defined in Section 1.1 of the Firearm Owners Identification Act, or use of a weapon as defined in Section 24-1 of the Criminal Code; (2) any other object if used or attempted to be used to cause bodily harm, including but not limited to, knives, brass knuckles, billy clubs; or (3) “look-alikes” of any weapon as defined above. Any item, such as a baseball bat, pipe, bottle, lock, stick, pencil, and pen, is considered to be a weapon if used or attempted to be used to cause bodily harm. The Superintendent or designee may grant an exception to this policy, upon the prior request of an adult supervisor, for students in performing arts, and similar programs, whether or not school-sponsored, provided the item is not equipped, nor intended, to do bodily harm.

Required Notices

A school staff member shall immediately notify 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, 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.

Delegation of Authority

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, which 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 and Building Principal are 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 10 consecutive school days, provided the appropriate procedures are followed. The Board of Education may suspend a student from riding the bus in excess of 10 days for safety reasons.

Student Handbook

The Superintendent, 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 student handbook, including the District disciplinary policies and rules, shall be distributed to the students’ parents/guardians within 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.
105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.35, 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, and 5/31-3.
23 Ill.Admin.Code §§1.210 and 1.280.

CROSS REF.: 5:230 (Maintaining Student Discipline), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 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), 7:200 (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), 8:30 (Visitors to and Conduct on School Property)

ADOPTED: September 27, 2007

Students

Suspension Procedures

The following are suspension procedures:

1. Before suspension, the student shall be provided a conference during which the charges will be explained and the student will be given an opportunity to respond to the charges.
2. A pre-suspension conference is not required and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
3. Any suspension shall be reported immediately to the student's parent(s)/guardian(s). A written notice of the suspension shall state the reasons for the suspension, including any school rule which was violated, and a notice to the parent(s)/guardian(s) of their right to a review of the suspension. A copy of a notice shall be given to the Board of Education.
4. Upon request of the parent(s)/guardian(s), a review of the suspension shall be conducted by the Board of Education or a hearing officer appointed by the Board. At the review, the student's parent(s)/guardian(s) may appear and discuss the suspension with the Board or its hearing officer and may be represented by counsel. After presentation of the evidence or receipt of the hearing officer's report, the Board shall take such action as it finds appropriate.

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).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline)

ADOPTED: March 13, 2006

Students

Expulsion Procedures

The following are expulsion procedures:

1. Before expulsion, the student and parent(s)/guardian(s) shall be provided written notice of the time, place, and purpose of a hearing by registered or certified mail requesting the appearance of the parent(s)/guardian(s). If requested, the student shall have a hearing, at the time and place designated in the notice, conducted by the Board or a hearing officer appointed by it. If a hearing officer is appointed by the Board, 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.
2. During the expulsion hearing, the student and his or her parent(s)/guardian(s) may be represented by counsel, present witnesses, and other evidence and cross-examine witnesses. At the expulsion hearing, the Board or hearing officer shall hear evidence of whether the student is guilty of the gross disobedience or misconduct as charged. 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).
720 ILCS 570/102 et seq.
Goss v. Lopez, 95 S.Ct. 729 (1975).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline)

ADOPTED: March 13, 2006

Students

Bus Conduct

All students must follow the District's School Bus Safety Guidelines. The Superintendent, or any designee as permitted in The School Code, is authorized to suspend a student from riding the school bus for up to 10 consecutive school days for engaging in gross disobedience or misconduct, including, but not limited to, the following:

1. Prohibited student conduct as defined in the Student Discipline policy.
2. Willful injury or threat of injury to a bus driver or to another rider.
3. Willful and/or repeated defacement of the bus.
4. Repeated use of profanity.
5. Repeated willful disobedience of the bus driver's or other supervisor's directives.
6. Such other behavior as the administration deems to threaten the safe operation of the bus and/or its occupants.

If a student is suspended from riding the bus for gross disobedience or misconduct on a bus, the School Board may suspend the student from riding the school bus for a period in excess of 10 days for safety reasons. The District's regular suspension procedures shall be used to suspend a student's privilege to ride a school bus.

Use of Video Cameras on School Buses

Video cameras may be used on school buses as necessary in order to monitor conduct and maintain a safe environment for students and employees.

Students are prohibited from tampering with the video cameras. Students who violate this policy shall be disciplined in accordance with the Board's discipline policy and shall reimburse the School District for any necessary repairs or replacement.

The content of the videotapes are student records and are subject to District policy and procedure concerning school student records. Only those people with a legitimate educational or administrative purpose may view the videotapes. In most instances, individuals with a legitimate educational or administrative purpose will be the Superintendent, Building Principal, Transportation Director, bus driver, and sponsor, coach, or other supervisor. If the content of a video tape becomes the subject of a student disciplinary hearing, it will be treated like other evidence in the proceeding.

LEGAL REF.: Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99.105 ILCS 5/10-20.14, 5/10-22.6, and 10/1 et seq.

CROSS REF.: 4:170 (Safety), 7:130 (Student Rights and Responsibilities), 7:170 (Vandalism), 7:190 (Student Discipline), 7:200 (Suspension Procedures), 7:340 (Student Records)

ADOPTED: March 19, 2007

Students

Misconduct by Students with Disabilities

Behavioral Interventions

Behavioral interventions shall be used with students with disabilities to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors. The District will establish and maintain a committee to develop, implement, and monitor procedures on the use of behavioral interventions for children with disabilities. The committee shall review the State Board of Education's guidelines on the use of behavioral interventions and use them as a non-binding reference. The Superintendent may designate at least one staff member as a behavioral intervention consultant who shall oversee the implementation of this policy. This policy and the behavioral intervention procedures shall be furnished to the parents/guardians of all students with individual education plans within 15 days after their adoption or amendment by, or presentation to, the Board or at the time an individual education plan is first implemented for a student; all students shall be informed annually of the existence of this policy and the procedures. At the annual individualized education plan review, a copy of this policy shall be given to the parents/guardians. The policy and procedures shall be explained. A copy of the procedures shall be available, upon request of the parents/guardians.

Discipline of Special Education Students

The District shall comply with the provisions of the Individuals With Disabilities Education Act (IDEA) when disciplining 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. Any special education student whose gross disobedience or misconduct is not a manifestation of his or her disability may be expelled pursuant to the expulsion procedures, except that such disabled student shall continue to receive educational services as provided in the IDEA during such period of expulsion.

A special education student may be suspended for periods of no more than 10 consecutive school days each in response to separate incidents of misconduct, regardless of whether the student's gross disobedience or misconduct is a manifestation of his or her disabling condition, as long as the repeated removals do not constitute a pattern that amounts to a change in placement (considering factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another) and provided that such student receives educational services to the extent required by the IDEA during such removals.

Any special education student may be temporarily excluded from school by court order or by order of a duly appointed State of Illinois hearing officer changing the student's placement to an appropriate interim alternative educational setting for up to 45 days, if the District demonstrates that maintaining the student in his or her current placement is substantially likely to result in injury to the student or others.

A special education student who has carried a weapon to school or to a school function or who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function may be removed from his or her current placement. Such a student shall be placed in an appropriate interim alternative educational setting for no more than 45 days in accordance with the IDEA. The length of time a student with a disability is placed in an alternative educational setting must be the same amount of time that a student without a disability would be subject to discipline.

LEGAL REF.: Individuals With Disabilities Education Act, 20 U.S.C. §1400 et seq.
Gun-Free Schools Act, 20 U.S.C. §3351 et seq.
34 C.F.R. §§300.121(d), 300.519, 300.521, 300.522, 300.523, 300.524, 300.528.
105 ILCS 5/10-22.6 and 5/14-8.05.
23 Ill.Admin.Code §§226.40, 226.400(a), 226.410, 226.520, and 226.655.
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)

ADOPTED: March 13, 2006

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 Board policy and the rules adopted by any association in which the School District maintains a membership. The conduct code shall: (1) require participants in extracurricular activities to conduct themselves at all times, including after school and on days when school is not in session, and whether on and off school property, as good citizens and exemplars of their school, and (2) 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 of Education.

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 and 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).
 Veronica School Dist. 475 v. Acton, 515 U.S. 646 (1995).
 105 ILCS 5/24-24, 5/27-23.3.

CROSS REF.: 5:280 (Duties and Qualifications), 6:190 (Extracurricular and Co-Curricular Activities), 7:190 (Student Discipline), 7:300 (Extracurricular Athletics)

ADOPTED: March 13, 2006

Students

Student Support Services

The following student support services may be provided by the School District:

1. Health services supervised by a qualified nurse. The Superintendent or designee may implement procedures to further a healthy school environment and prevent or reduce the spread of disease, including head lice (*Pediculus Humanus Capitis*).
2. Educational and psychological testing services and the services of a psychologist as needed. In all cases, written permission to administer a psychological examination must be obtained from a student's parent(s)/guardian(s). The results will be given to the parent(s)/guardian(s), with interpretation, as well as to the appropriate professional staff.
3. The services of a social worker. A student's parent(s)/guardian(s) must consent to regular or continuing services from a social worker.
4. Guidance and counseling services.

The Superintendent or designee shall develop protocols for responding to students with social, emotional, or mental health problems that impact learning ability. The District, however, assumes no liability for preventing, identifying, or treating such problems.

This policy shall be implemented in a manner consistent with State and federal laws, including the Individuals with Disabilities Education Act, 42 U.S.C. §12101 et seq.

LEGAL REF.: Children's Mental Health Act of 2003, 405 ILCS 49/1 et seq.

CROSS REF.: 6:65 (Student Social and Emotional Development), 6:270 (Guidance and Counseling Program), 7:100 (Health Examinations, Immunizations, and Exclusion of Students), 7:280 (Communicable and Chronic Infectious Diseases)

ADOPTED: March 13, 2006

Students

Exemption from Physical Activity

In order to be excused from participation in physical education, a student must present an excuse from his or her parent/guardian or from a person licensed under the Medical Practice Act. The excuse may be based on medical or religious prohibitions. State law prohibits a board from honoring parental excuses based upon a student's participation in athletic training, activities, or competitions conducted outside the auspices of the School District.

Special activities in physical education will be provided for students whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act, prevents their participation in the physical education courses.

LEGAL REF.: 105 ILCS 5/27-6.
23 Ill.Admin.Code §1.420(p).

CROSS REF.: 6:60 (Curriculum Content)

ADOPTED: March 19, 2007

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(s)/guardian(s) 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(s)/guardian(s). 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.

A student may possess an epinephrine auto-injector (EpiPen®) and/or medication prescribed for asthma for immediate use at the student's discretion, provided the student's parent(s)/guardian(s) have 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.

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 parent(s)/guardian(s) of students.

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

ADOPTED: April 26, 2007

Students

Communicable and Chronic Infectious Disease

A student with or carrying a communicable and/or chronic infectious disease has all rights, privileges, and services provided by law and the District's policies. The Superintendent will develop procedures for communicable and chronic infectious diseases for the Board's consideration.

LEGAL REF.: 105 ILCS 5/10-21.11.
410 ILCS 315/2a.
77 Ill.Admin.Code §690.100 et seq.
Individuals With Disabilities Education Act, 20 U.S.C. §1400 et seq.
Rehabilitation Act, Section 504, 29 U.S.C. §794(a).

ADOPTED: March 13, 2006

Students

Extracurricular Athletics

Student participation in school-sponsored extracurricular athletic activities is contingent upon the following:

1. The student must meet the academic criteria as defined in the administrative procedure regarding school sponsored extracurricular activities.
2. The parent(s)/guardian(s) must provide written permission for the student's participation, giving the District full waiver of responsibility of the risks involved.
3. The student must present a certificate of physical fitness issued by a licensed physician, an advanced practice nurse, or a physician assistant who assures that the student's health status allows for active athletic participation.

The Superintendent or designee shall maintain the necessary records to ensure student compliance with this policy.

LEGAL REF.: 105 ILCS 5/10-20.30.
23 Ill.Admin.Code §1.530(b).

CROSS REF.: 4:170 (Safety), 6:190 (Extracurricular and Co-Curricular Activities), 7:240
(Conduct Code for Participants in Extracurricular Activities)

ADOPTED: March 13, 2006

Students

Restrictions on Publications and Written or Electronic Material

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 and Web Sites Accessed or Distributed At School

Students are prohibited from accessing and/or distributing at school any written or electronic material, including material from the Internet:

1. That will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities;
2. That 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. That 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, or contains indecent and vulgar language;
4. That is primarily intended for the immediate solicitation of funds; or
5. That, in kindergarten through eighth grade, 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 outside source as long as the material to be distributed or accessed is primarily prepared by students.

The distribution of non-school-sponsored written material 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 material is endorsed by the School District.

Accessing or distributing "at school" 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.

Student-Created or Distributed Written or Electronic Material Including Blogs

A student engages in gross disobedience and misconduct and may be disciplined for creating and/or distributing written or electronic material, including Internet material and blogs, that causes substantial disruption to school operations or 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), 8:25 (Advertising and Distributing
Materials in School Provided by Non-School Related Entities)

ADOPTED: March 19, 2007

Students

Student Fund-Raising Activities

Only the following organizations may solicit students on school grounds during school hours or during any school activity to engage in fund-raising activities:

1. School-sponsored student organizations; and
2. Parent organizations and booster clubs that are recognized pursuant to policy 8:90, *Parent Organizations and Booster Clubs*.

The Superintendent's implementing procedures shall provide that:

1. Fund-raising efforts shall not conflict with instructional activities or programs.
2. Fund-raising efforts must be voluntary.
3. Student safety is paramount and door-to-door solicitations are prohibited.
4. For school-sponsored student organizations, a school staff member must supervise the fund-raising activities and the student activity funds treasurer must safeguard the financial accounts.
5. The fund-raising efforts must be to support the organization's purposes and/or activities, the general welfare, a charitable cause, or the educational experiences of students generally.
6. The funds shall be used to the maximum extent possible for the designated purpose.

LEGAL REF.: 105 ILCS 5/10-20.19(3).

CROSS REF.: 4:90 (Activity Funds), 8:90 (Parent Organizations and Booster Clubs)

ADOPTED: March 13, 2006

Students

Student Records

School student records are confidential and information from them shall not be released other than as provided by law. Any record that contains personally identifiable information or other information that would link the document to an individual student is a school student record if maintained by the District, except: (1) records that are kept in the sole possession of a school staff member, are destroyed not later than the student's graduation or permanent withdrawal, and 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.

State and federal law grant students and parent(s)/guardian(s) certain rights, including the right to inspect, copy, and challenge school 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 parent(s)/guardian(s) shall have the right to object to the release of information regarding their 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 students' parent(s)/guardian(s).

The Superintendent shall implement this policy with administrative procedures. The Superintendent shall act as a *records custodian* who shall maintain student records. The Superintendent or designee shall inform staff members of this policy, and shall inform students and their parent(s)/guardian(s) of it, as well as their rights regarding student school records.

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, P.A. 93-462
 105 ILCS 5/10-20.37, 5/14-1.01 et seq., and 10/1 et seq.
 50 ILCS 205/7.
 23 Ill.Admin.Code §§226 and 375.

CROSS REF.: 7:15 (Student and Family Privacy Rights)

ADOPTED: March 13, 2006