

DRAFT UPDATE

Mid-Valley Special Education Cooperative

7:220

Students

Bus Conduct

All students must follow the Cooperative's School Bus Safety Guidelines. The Executive Director, 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 Board policy, 7:190, *Student Discipline*.
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 a directive from a bus driver or other supervisor.
6. Such other behavior as the Executive Director or designee 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 Board may suspend the student from riding the school bus for a period in excess of 10 days for safety reasons. The Cooperative's regular suspension procedures shall be used to suspend a student's privilege to ride a school bus.

Electronic Recordings on School Buses

Electronic visual and audio recordings may be used on school buses to monitor conduct and to promote and maintain a safe environment for students and employees when transportation is provided for any school related activity. Notice of electronic recordings shall be displayed on the exterior of the vehicle's entrance door and front interior bulkhead in compliance with State law and the rules of the Illinois Department of Transportation, Division of Traffic Safety.

Students are prohibited from tampering with electronic recording devices. Students who violate this policy shall be disciplined in accordance with the Board's discipline policy and shall reimburse the Cooperative for any necessary repairs or replacement.

~~The content of the electronic recordings are student records and are subject to District policy and procedure concerning school student records; such recordings are exempt from the Eavesdropping Act. Only those people with a legitimate educational or administrative purpose may view and/or listen to the electronic video and/or audio recordings. If the content of an electronic recording 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 10/4-et-seq./
720 ILCS 5/14-3(m).
23 Ill.Admin.Code Part 375. Student Records.

CROSS REF.: 4:110 (Transportation), 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: May 2, 2012

Comment [AKL1]: Paragraph is removed. Confusion surrounds whether or not videotapes are education records for purposes of the federal Family Education Rights and Privacy Act (FERPA) and/or school student records as defined in the Ill. School Student Records Act (105 ILCS 10/). The Ill. State Board of Education (ISBE) considerably reduced the confusion by stating in its rule that school student records do not include video or other electronic recordings "created at least in part for law enforcement or security or safety reasons or purposes." (23 Ill. Admin. Code §375.10). ISBE rules also specify that: (1) electronic recordings made on school buses, as defined in the exemption from the criminal offense of eavesdropping in 720 ILCS 5/14-3, are not school student records, (Id.) and (2) no image on a school security recording may be designated as directory information (23 Ill. Admin. Code §375.80). This treatment exempts school bus videos from the multiple requirements in the Ill. School Student Records Act. However, when responding to a request under the Freedom of Information Act for recordings on school buses, a district will need to find an exemption other than the recording is a school student record. Issue 79, May 2012.