Students

Administrative Procedure - Student Discipline Guidelines [1]

The intent of these guidelines is to enhance school climate, improve school discipline practices, and ensure that students are disciplined without discrimination on the basis of race, color, national origin, gender, disability, or other protected status. Data collected from Ill. school districts on student discipline is available at www.isbe.net/Pages/Expulsions-Suspensions-and-Truants-by-District.aspx.

Recordkeeping

1. Develop and implement a District-wide uniform discipline referral form that documents each of the following:
   a. Student name
   b. Identity of staff member making referral
   c. Date and time of incident
   d. Location of incident
   e. Description of incident
   f. Description of interventions attempted prior to incident
   g. Description of the incident's effect on other students and/or the learning environment
   h. Parent/guardian contact made (when, how, and by whom)
2. Maintain each of the following data related to student discipline referrals:
   a. Race of the student referred for discipline
   b. Gender of the student referred for discipline
   c. Disability status of the student referred for discipline
   d. Basis for the referral
   e. Identity of the staff member making referral
   f. Race of the staff member making referral
   g. Gender of the staff member making referral
   h. Basis for imposing or not imposing discipline
   i. Description of discipline imposed, if any, and the rationale for its selection
   j. Whether the referral was made to the school resource officer[2] (SRO) or law enforcement
   k. Basis for making the referral to the SRO or law enforcement (if applicable)
   l. Whether there were any criminal charges filed as a result of the student's misconduct

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The footnotes should be retained.

[1] This guidance aligns with the 1-8-14 *Dear Colleague Letter* issued jointly by the U.S. Dept. of Education (DOE) and U.S. Dept. of Justice (DOJ), and their comprehensive School Climate and School Discipline Guidance Package (a weblink is provided in the Resources section of this procedure). **Note:** These guidance documents were rescinded by a joint DOE and DOJ *Dear Colleague* letter dated 12-21-18, at: www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-201812.pdf. Since July 30, 2021, the letter and rescinding of the letter have been under review by the DOE and DOJ. See also:

Christian County Public Schools, Case No. 03-11-5002 (decision letter issued 2-28-14).
Christina School District, Case No. 03-10-5001 (decision letter issued 12-14-13).
Oakland Unified School District, Case No. 09-12-5001 (decision letter issued 9-27-12).
Independent School District #761, Case No. 05-10-1148 (decision letter issued 5-4-11).

[2] *School resource officer* means a law enforcement officer who has been primarily assigned to a school or school district under ~~an agreement with~~a memorandum of understanding between a local law enforcement agency and a school district. 105 ILCS 5/10-20.68(a), amended by P.A. 104-430.

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m. If the student received an exclusionary consequence (out-of-school suspension or expulsion) for his/her misconduct, whether the student was offered any academic or behavior support services and, if so, which support services

Periodic Review and Self-Monitoring

Review the following on a periodic basis and at least annually:

1. Discipline-related District policies and procedures
   a. Such policies may include:
      7:20, *Harassment of Students Prohibited*
      7:70, *Attendance and Truancy*
      7:130, *Student Rights and Responsibilities*
      7:140, *Search and Seizure*
      7:150, *Agency and Law Enforcement Requests~~Police Interviews~~*
      7:160, *Student Appearance*
      7:165, *School Uniforms*
      7:170, *Vandalism*
      7:180, *Prevention and Response to Bullying, Intimidation, and Harassment*
      7:185, *Teen Dating Violence Prohibited*
      7:190, *Student Behavior*
      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*
      7:250, *Student Support Services*
      7:310, *Restrictions on Publications; Elementary Schools*
      7:315, *Restrictions on Publications; High Schools*
   b. This review should:
      i. Include input from all members of the school community (administrators, staff, students, parents/guardians, volunteers and community members). Such input may be obtained through school climate surveys, school forums, and the District's parent-teacher advisory committee (established per 105 ILCS 5/10-20.14, amended by P.A.s 103-896 and 104-430) and the behavior interventions committee for students with disabilities (established per 105 ILCS 5/14-8.05).
      ii. Ensure policies and procedures (e.g., an individual school's conduct code) have clear definitions of prohibited student conduct, especially those entailing the subjective exercise of discretion.
      iii. Attempt to incorporate alternative disciplinary measures into Board policies and procedures.
      iv. Implement a system of Positive Behavioral Interventions and Support (PBIS) or, if PBIS has been implemented, analyze and monitor its effectiveness and ways to improve it.
2. Discipline data
   a. Data review should analyze each of the following:
      i. Number of referrals by teacher/staff member.
      ii. Race/gender/disability status of referred students by teacher/staff member.
      iii. Overall percentage of student disciplinary referrals by race, gender, and disability status versus the overall percentage of said student groups in the school and District.

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iv. Overall percentage of student disciplinary referrals for a specific offense (i.e., tardy, dress code violation) by race, gender, and disability status versus the overall percentage of said student groups in the school and District.

v. Overall percentage of student disciplinary referrals resulting in an exclusionary consequence by race, gender, and disability status versus the overall percentage of said student groups in the school and District.

vi. Overall percentage of student disciplinary referrals resulting in a referral to law enforcement by race, gender, and disability status versus the overall percentage of said student groups in the school and District.

vii. Comparison of discipline imposed for the same or similar offense for students of different races, gender, and disability statuses.

b. Compare the District's student discipline data with the data from other school districts.

i. As required by 105 ILCS 5/2-3.162, by Oct. 31 annually, ISBE prepares a report on student discipline from data collected from all Ill. school districts. The report includes data on the issuance of out-of-school suspensions, expulsions, and removals to alternative settings in lieu of another disciplinary action, disaggregated by race and ethnicity, gender, age, grade level, whether a student is an English learner, incident type, and discipline duration. It is available at www.isbe.net/Pages/Expulsions-Suspensions-and-Truants-by-District.aspx.

~~viii.~~ As required by 105 ILCS 5/2-3.206, added by P.A. 104-430, on or before Jan. 31, 2029 and annually thereafter, ISBE prepares a report on law enforcement referral data collected from all Ill. school districts. The report includes data on student referrals to law enforcement, disaggregated by race and ethnicity, sex, grade level, whether a student is an English learner, and disability.

~~ix. According to 105 ILCS 5/2-3.162:~~

~~x. School districts that are identified in the top 20% of any of the metrics for three consecutive years must submit a plan identifying its strategies to reduce the use of exclusionary disciplinary practices or racial disproportionality or both, if applicable.~~

~~xi.~~ ii. ~~The plan must be approved by the school board and posted on the district's website. Within one year after being identified, the school district must submit to ISBE and post on the district's website a progress report describing the plan's implementation and the results achieved.~~

~~b.~~ c. If there are any red flags resulting from the data analysis, the discipline committee should meet to determine if there are comparably effective alternative practices or policies that would meet the school's stated educational goal with less of a burden or adverse impact on the disproportionately affected group.

Training

1. Annually train all District staff and school-based law enforcement on each of the following:
   a. The District's discipline-related policies and procedures, including which behaviors fall into categories of misconduct defined therein so that there is consistency in application.
   b. How to apply school discipline policies, procedures, and practices in a fair and equitable manner so as not to disproportionately impact students of color, students of a particular gender, students with disabilities, or at-risk students.
   c. Effective classroom management strategies, recognizing that the removal of students from the classroom is to be used as a last resort.
   d. How to engage students and support positive behavior, including through any PBIS program implemented in the District.
   e. Classroom management techniques and resources available to staff who are having difficulty with classroom management.

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f. The role that school-based law enforcement is expected to play in the discipline process, including when it is or is not appropriate to refer a student to school-based law enforcement.

2. Make reasonable efforts to provide ongoing professional development to all District staff, school board members, and SROs on the requirements of 105 ILCS 5/10-22.6 and 105 ILCS 5/10-20.14, adverse consequences of exclusion and justice system involvement, effective classroom management strategies, culturally responsive discipline, trauma responsive learning environments, the appropriate and available supportive services for the promotion of student attendance and engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates. [3]

Notice

Annually notify students and parents/guardians of the District's discipline-related policies and procedures.

1. Use varied communication methods, such as student handbooks, District or school websites, posters, classroom instruction, assemblies, etc.
2. Ensure such notice is provided in an age-appropriate, easily understood manner.
3. Ensure such notice is provided in multiple languages.
4. Explain to students:
   a. The District's discipline-related policies and procedures, including which behaviors fall into categories of misconduct.
   b. Their particular school's discipline-related procedures and conduct codes, including which behaviors fall into categories of misconduct.
   c. Behavior expectations.
   d. Resources and support services available to students.

Collaboration with Law Enforcement

1. Annually train SROs on the District's discipline-related policies and procedures (if applicable).
2. Review the District's reciprocal reporting agreement[4] with local law enforcement agencies to determine if revisions are necessary.

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The footnotes should be retained.

[3] 105 ILCS 5/10-22.6(c-5), amended by P.A. 103-896. See sample policy 2:120, *Board Member Development*, at f/n 9, for more information regarding 105 ILCS 5/10-22.6, 105 ILCS 5/10-20.14, and relevant sample policies to reference. See 105 ILCS 5/3-11(b), amended by P.A. 103-413, for the definition of *trauma-responsive learning environments.* The statute does not define *ongoing* or specify whether each group should receive training on all of the topics. As these are important matters, consult the board attorney for guidance.

[4] Pursuant to 105 ILCS 5/10-20.14, amended by P.A. 104-430, school districts are to establish and maintain a parent-teacher advisory committee, whose duties include developing policy guideline procedures to establish and maintain a reciprocal reporting system between the school district and local law enforcement agencies regarding criminal and civil offenses committed by students. ~~In consultation with stakeholders~~*Development of Reciprocal Reporting Systems Guidance*, developed by the Ill. State Board of Education (ISBE) in consultation with stakeholders, is available at: www.isbe.net/Documents/Reciprocal-Reporting-June-2025.pdf ~~must draft and publish guidance for the development of reciprocal reporting systems by 7-1-25. Id., amended by P.A. 103-896~~. See sample administrative procedure 7:190-AP3, *Guidelines for Reciprocal Reporting of Offenses Committed by Students*.

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3. Develop and enter into a memorandum of understanding (MOU) with local law enforcement agencies. The MOU should clearly define law enforcement's role in the District's schools. Follow an existing MOU and suggest modifications as the need arises. [5]

Resources

School Climate and Student Discipline Resources: Know the Law (multiple guidance documents), at: https://www.ed.gov/teaching-and-administration/safe-learning-environments/school-safety-and-security/school-climate-and-student-discipline/school-climate-and-student-discipline-resources-know-the-law.

Dear Colleague Letter on Nondiscriminatory Administration of School Discipline, issued by the Civil Rights Division of the U.S. Dept. of Justice and the Office for Civil Rights of the U.S. Dept. of Education on 1-8-14 (no longer available on the U.S. Dept. of Education's website).

Note: This guidance document was rescinded by a joint *Dear Colleague* letter dated 12-21-18, at: www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-201812.pdf.

Civil Rights Data Collection at: www2.ed.gov/about/offices/list/ocr/data.html?src=rt .

ISBE Data Analysis of Expulsions, Suspensions, and Truants by District at: www.isbe.net/Pages/Expulsions-Suspensions-and-Truants-by-District.aspx

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[5] 105 ILCS 5/10-20.14(b), amended by P.A. 104-430, encourages school districts to create memoranda of understanding (MOU) with law enforcement agencies. Beginning 7-1-26, an MOU is required for any district that uses a school resource officer. 105 ILCS 5/10-20.68(a-5), added by P.A. 104-430. An MOU defines law enforcement's role in schools and describes the respective duties of a school district and local law enforcement agencies. Its purpose is to prevent confusion, decrease conflict, and promote school safety. MOUs vary by community because they are created through a collaborative process involving local school districts and local law enforcement agencies. For an example, see sample exhibit 7:190-E3, *Memorandum of Understanding*.

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