

**EAST AURORA SCHOOL DISTRICT NO. 131
BOARD OF EDUCATION POLICY MANUAL
TABLE OF CONTENTS
SECTION 7 - STUDENTS**

Equity

- 7:10 Equal Educational Opportunities
- 7:15 Student and Family Privacy Rights
- 7:20 Harassment of Students Prohibited

7:20ALT Harassment, Intimidation and Bullying of Students

Assignment and Admission

- 7:30 Student Assignment and Intra-District Transfer
- 7:40 Nonpublic School Students, Including Parochial and Home-Schooled Students
- 7:50 School Admissions and Student Transfers To and From Non-District Schools

7:52 Foreign Exchange Students

- 7:60 Residence

7:60ALT Student Residency

Attendance

- 7:70 Attendance and Truancy
- 7:80 Release Time for Religious Instruction/Observance
- 7:90 Release During School Hours
- 7:100 Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students

7:100ALT Health Examination, Dental Examination, Eye Examination, Immunizations and Exclusion of Students

- 7:110 **OPEN**

- 7:120 **OPEN**

Rights and Responsibilities

- 7:130 Student Rights and Responsibilities
- 7:140 Search and Seizure
- 7:150 Agency and Police Interviews
- 7:160 Student Appearance
- 7:160ALT Student Appearance*
- 7:165 School Dress Code ~~Uniforms~~
- 7:170 Vandalism
- 7:180 Preventing Bullying, Intimidation, and Harassment
- 7:190 Student Discipline
- 7:200 Suspension Procedures

- 7:210 Expulsion Procedures
- 7:220 Bus Conduct
- 7:222 Visual/Audio Recording on School Buses
- 7:230 Misconduct by Students with Disabilities
- 7:240 Conduct Code for Participants in Extracurricular Activities

Welfare Services

- 7:250 Student Support Services
- 7:252 Mentoring
- 7:260 Exemption from Physical Activity
- 7:270 Administering Medicines to Students
- 7:275 Orders to Forgo Life-Sustaining Treatment
- 7:280 Communicable and Chronic Infectious Disease
- 7:285 Food Allergy Management Program
- 7:285ALT Food Allergy Management Program
- 7:290 **RESERVED**

Activities

- 7:300 Extracurricular Athletics
- 7:300ALT Participation in Extracurricular Activities
- 7:305 Student Athlete Concussions and Head Injuries
- 7:310 Restrictions on Publications
- 7:320 **OPEN**
- 7:325 Student Fund-Raising Activities
- 7:330 Student Use of Buildings - Equal Access

Records

- 7:340 Student Records
- 7:340ALT Student Biometric Information
- 7:342 Student Privacy/Parental Access to Information

Students

Equal Educational Opportunities

Equal educational and extracurricular opportunities shall be available for all students without regard to color, race, nationality, religion, sex, sexual orientation, ancestry, age, physical or mental disability, gender identity, status of being homeless, order of protection status, 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 of Education policy 8:20, *Community Use of School Facilities*. Any student may file a discrimination grievance by using Board policy 2:260, *Uniform Grievance Procedure*.

Sex Equity

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

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

Administrative Implementation

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

LEGAL REF.: 42 U.S.C. §11431 et seq., McKinney Homeless Assistance Act.
 20 U.S.C. §1681 et seq., 34 C.F.R. Part 106; Title IX of the Educational Amendments.
 29 U.S.C. §791 et seq., Rehabilitation Act of 1973.
 775 ILCS 35/5, Religious Freedom Restoration Act.
Ill. Constitution, Art. I, §18.
Good News Club v. Milford Central School, 121 S.Ct. 2093 (2001).
 105 ILCS 5/3.25b, 3.25d(b), 10-20.12, 10-22.5, and 27-1.
 775 ILCS 5/1-101 et seq., Illinois Human Rights Act.
 23 Ill.Admin.Code §1.240 and Part 200.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 7:20 (Harassment of Students Prohibited), 7:130 (Student Rights and Responsibilities), 7:330 (Student Use of Buildings - Equal Access), 8:20 (Community Use of School Facilities)

ADOPTED:

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 of Education 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, 325 ILCS 17/1 et seq.
105 ILCS 5/10-20.38.

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

ADOPTED:

1st DRAFT

Students

Harassment of Students Prohibited

Bullying, Intimidation, and Harassment Prohibited

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

Sexual Harassment Prohibited

Sexual harassment of students is prohibited. Any person, including a district employee or agent, or student, engages in sexual harassment whenever he or she makes sexual advances, requests sexual favors, and 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.

Making a Complaint; Enforcement

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

An allegation that a student was a victim of any prohibited conduct perpetrated by another student shall be referred to the Building Principal, Assistant Building Principal, or Dean of Students 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:

Asst. Supt. for Human Resources

Name

Address

Telephone

Complaint Managers:

_____ Name	_____ Name
_____ Address	_____ Address
_____ Telephone	_____ Telephone

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

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

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

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:20 (Workplace Harassment Prohibited),
7:10 (Equal Educational Opportunities), 7:180 (Preventing Bullying,
Intimidation, and Harassment), 7:190 (Student Discipline)

ADOPTED:

Students

ALTERNATE – Harassment, Intimidation and Bullying of Students

The Board of Education strives to maintain a learning environment that is free from any form of harassment, intimidation or bullying of students. No person, including a District employee or agent, or student, shall harass, intimidate or bully another student based upon a student's race, color, national origin, sex, sexual orientation, religious beliefs, age, physical and mental handicap or disability, status as homeless, or actual or potential marital or parental status, including pregnancy, or any other protected characteristic. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment.

"Bullying" means any repeated, pervasive, written, verbal or electronic expression, physical act or gesture, or pattern thereof, that is intended to cause distress to one or more students on school grounds, in school vehicles, at a designated bus stop, at school activities or sanctioned events, or anywhere if the aggressive behavior may reasonably be considered a threat to a student or staff member and an interference with school purposes or the educational process. Bullying includes, but is not limited to, physical, verbal, or indirect actions of hazing, harassment, intimidation or menacing acts of a student which may, but need not be, based on any of the items described above. "Harassment" means knowingly pursuing a pattern of conduct that is intended to annoy, alarm or terrorize another person. Bullying and harassment include "cyberbullying" which is any of the foregoing conduct conducted by using information and communication technologies such as email, cell phones, text messages, instant messaging, or defamatory personal web sites.

Complaints of harassment, intimidation or bullying 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, intimidation or bullying 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. An allegation that one student was sexually harassed by another student shall be referred to the Building Principal, Assistant Building Principal, or Dean of Students for appropriate action.

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, Assistant Building Principal, Dean of Students. 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. School personnel with knowledge or belief of conduct that may constitute sexual harassment, intimidation, harassment, bullying, or hazing should immediately report the alleged acts to the building principal, assistant building principal, or dean of students.

REMEDIAL ACTION

Sexual harassment, sexual intimidation, and retaliation against students are expressly prohibited. Harassment, intimidation and bullying are also prohibited. Where there is sufficient evidence that an employee or student has violated this policy, the Board of Education, or its designee, will take appropriate action, including disciplinary action as warranted, that could be reasonably calculated to stop the harassment and prevent the harassment from reoccurring.

If harassment by third parties engaged in District-sponsored activities is reported, the District will investigate the allegation and, if harassment is discovered, take corrective action to stop the harassment, and monitor the situation as necessary.

FORMAL COMPLAINT PROCESS

Any complaint alleging sexual harassment/intimidation, or any other form of harassment, intimidation or bullying shall be in writing, shall include a statement of facts which forms the basis of the complaint, shall be signed and dated and shall be filed with the Building Principal or, if the Building Principal is the alleged harasser, with an impartial Administrator to whom the Building Principal reports, which is the Assistant Superintendent who can be contacted at 417 Fifth Street, Aurora, Illinois, or by calling (630) 299-5550. Copies of the District's complaint forms will be available in all of the School Buildings' main offices and on the district website. [see Exhibits A, D].

The sexual harassment/intimidation or other harassment, intimidation or bullying complaint must be filed within thirty (30) days of the alleged harassment or within reasonably extended period if the circumstances so warrant. [See Exhibits A, D to be completed by complainant]. The Building Principal or an impartial School Administrator will contact the complainant within three (3) school days to arrange for a meeting with the complainant to take place as soon as possible, but no later than five (5) school days after receipt of the complaint. The Building Principal or an impartial School Administrator will thereafter conduct a thorough and an impartial investigation of the complaint by interviewing the complainant, the alleged harasser, any relevant witnesses, and any other persons having information about the matter. [see Exhibits B, D to be completed by school administrator completing the investigation]. The complainant or the alleged harasser may submit other pertinent evidence for consideration. Within ten (10) days of such meeting, or within a reasonably extended period of time, if the situation so warrants, the Building Principal or an impartial School Administrator shall make a decision whether the complaint is substantiated or unsubstantiated and notify the complainant in writing.

The Harassment, Intimidation and Bullying of Students Policy and complaint procedures are intended to provide exclusive remedies for students complaining of sexual harassment/intimidation, retaliation for sexual harassment/intimidation and any other form of harassment, intimidation or bullying. This policy and related procedures afford the same level of due process and protection against discrimination as does the District's Equal Opportunity procedures. In, this respect, due process shall exist throughout the process and all of the due process rights contained in the Equal Opportunity procedure are applicable.

APPEAL PROCESS

In the event of an unsubstantiated finding, the complainant may appeal in writing to the Director of Human Resources within ten (10) days of the Building Principal's or School Administrator's decision. The Director for Human Resources may be contacted at 417 Fifth Street or by calling (630) 299-5576. Within ten (10) days of such notice, a meeting shall be called with the complainant and other appropriate parties, if any, for discussion of the complaint and the Building Principal's or School Administrator's decision. Within ten (10) days of their meeting, the Director for Human Resources shall make a decision whether the complaint is substantiated or unsubstantiated and inform the complainant in writing. Decisions will be based on a review of all evidence including witness statements, documentary data, and other relevant information.

In the event of an unsubstantiated finding by the Director of Human Resources, the complainant may appeal in writing to the President of the Board of Education within ten (10) days of the Director of Human Resources' decision, and may request a hearing before the Board of Education, which will take place in executive session. The Board of Education within thirty (30) days of receipt of the appeal shall address the complaint and, if requested, hold a hearing. Within fifteen (15) days after the Board has met to address the complaint, and/or has held a hearing, the Board shall communicate its decision through its duly authorized Superintendent to the complainant in writing. The Board's decision will be the final step in the District's appeal process.

INFORMAL RESOLUTION PROCEDURE

Any student may choose to resolve complaints of sexual harassment, sexual intimidation or any other form of harassment, intimidation or bullying through an informal resolution procedure, as an alternative to the formal complaint procedures set forth above. The informal mediation process may include conflict dispute resolution conferences between the complaining party and the alleged harasser conducted by a School Administrator or faculty member. The complainant has the right to withdraw from the informal process and, upon complainant's request, proceed with a formal investigation if the informal mediation process does not result in final resolution of the complaint. Copies of the District's Informal Resolution Procedure will be available in all of the School Buildings' main offices.

LEGAL REF.; Title IX of the Educational Amendments, 20 U.S.C. § 1681 et seq. 34 C.F.R. Part 106;
Illinois School Code, Sec. 10-22.5 and 27-1 (105 ILCS 5/10-22.5 and 5/27-1); Sec. 10-20.14 (105 ILCS 5/10-20.14); Sec. 27-23.7 (105 ILCS 5/27-23.7)
231II.Admin.Code § 200.10, et seq.

ADOPTED: September 21, 2009

Students

Student Assignment and Intra-District Transfer

Attendance Areas

The School District is divided into school attendance areas. The Superintendent will review the boundary lines annually and recommend any changes to the Board of Education. The Superintendent or designee shall maintain a map of the District showing current school attendance areas. Students living in a given school attendance area will be assigned to that school. Homeless children shall be assigned according to Board policy 6:140, *Education of Homeless Children*.

Transfers Within the District

A student's parent(s)/guardian(s) may request a transfer for their child to a District school other than the one assigned. A request should be directed to the Superintendent, who, at his or her sole discretion, may grant the request when the parent(s)/guardian(s) demonstrate that the student could be better accommodated at another school, provided space is available. If a request is granted, the parent/guardian shall be responsible for transportation. The provisions in this section have no applicability to transfers pursuant to: (1) Title I covered in Board policy 6:15, *School Accountability*, or (2) the Unsafe School Choice Option covered in Board policy 4:170, *Safety*.

Class Assignments

The Superintendent or designee 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), 6:30 (Organization of Instruction), 6:140 (Education of Homeless Children)

ADOPTED:

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 Building 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.

A student accepted for partial enrollment must comply with all discipline and attendance requirements established by the school. He or she may participate in 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 partial enrollment must pay all fees, pro-rated on the basis of a percentage of full-time fees. Transportation to and/or from school is provided on regular bus routes to or from a point on the route nearest or most easily accessible to the nonpublic 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 is 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 nonpublic schools. Requests must be submitted by the student's parent/guardian. 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 in: (1) 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.

Notwithstanding the above, 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 of Education 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), 6:170 (Title I Programs), 6:190 (Extracurricular and Co-Curricular Activities), 6:320 (High School Credit for Proficiency), 7:30 (Student Assignment), 7:300 (Extracurricular Athletics)

ADOPTED:

1st DRAFT

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. A child entering first grade must be 6 years of age on or before September 1 of that school term. Based upon an assessment of the child's readiness, a child will be allowed to attend first grade if he or she attended a non-public preschool, continued his or her education at that school through kindergarten, was taught in kindergarten by an appropriately certified teacher, and will be 6 years old on or before December 31. 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. If a birth certificate is not presented, the Superintendent or designee shall notify in writing the person enrolling the student that within 30 days he or she must provide a certified copy of the student's birth certificate. A student will be enrolled without a birth certificate. When a certified copy of the birth certificate is presented, the school shall promptly make a copy for its records, place the copy in the student's temporary record, and return the original to the person enrolling the child. If a person enrolling a student fails to provide a certified copy of the student's birth certificate, the Superintendent or designee 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 will be referred to the local law enforcement authority for investigation. If compliance is not obtained within that 10-day period, the Superintendent or designee shall so refer the case. The Superintendent or designee 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, Eye, and Dental Examinations; Immunizations; and Exclusion of Students*.

The individual enrolling a student shall be given the opportunity to voluntarily state whether the student has a parent or guardian who is a member of a branch of the U. S. Armed Forces and who is either deployed to active duty or expects to be deployed to active duty during the school year.

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 when the penalty was for:

- knowingly possessing in a school building or on school grounds, a weapon as defined in the Gun Free Schools Act;
- knowingly possessing, selling, or delivering in a school building or on school grounds a controlled substance or cannabis; or
- battering a staff member of the school.

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.
Individuals With Disabilities Education Improvement Act, 20 U.S.C. §1400 et seq.
Rehabilitation Act, Section 504, 29 U.S.C. §794.
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, 10/8.1, 45/, and 70/.
325 ILCS 50/ and 55/.
410 ILCS 315/2e.
20 Ill.Admin.Code Part 1290, Missing Person Birth Records and School
Registration.
23 Ill.Admin.Code Part 375, Student Records.

CROSS REF.: 6:30 (Organization of Instruction), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping out of School and Graduation Incentives Program), 6:140 (Education of Homeless Children), 7:60 (Residence), 7:70 (Attendance and Truancy), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:340 (Student Records)

ADOPTED:

Students

Foreign Exchange Students

Recognizing the educational and cultural value of the international exchange program, the Board of Education authorizes the admission of foreign exchange students from district approved exchange programs on a limited basis. International exchange students are those students of a foreign nationality visiting the United States to attend school under the terms of a J-1 visa.

International exchange programs are approved by the district on an annual basis. District approval must be obtained prior to seeking the admission of any international exchange student to East Aurora High School. For the year of admittance, the sponsoring agency of any exchange student must be included in the list published by the Council for Standards on International Educational Travel and be approved by the United States Information Agency to qualify for J-1 visas.

This policy shall apply to international exchange program students from countries outside the United States who are temporarily in the United States without their parents/legal guardians for the purpose of attending school in the district for cultural exchange purposes.

The Superintendent shall establish procedures and regulations for the administration of this program to ensure that the acceptance and placement of international exchange students will be beneficial experience for all involved.

Program Requirements

To be considered for approval by the Board of Education for East Aurora School District, international student exchange programs must meet the following minimum requirements:

1. The sponsoring agency must have been approved by and be in good standing for the current school year with the Council on International Educational Travel (CIET) and be a United States Information Agency (USIA) designated organization.
2. The sponsoring agency must have a local representative who is available to meet with the school personnel, the student, and the host family.
3. The sponsoring agency shall submit an annual application for approval. Applications shall be due by May 1 for consideration for the following school year.
4. As part of the application process, the local representative, as the agent for the sponsoring agency shall sign a written agreement to abide by all policies and procedures of the East Aurora Board of Education.
5. The length of stay for a J-1 exchange student is limited to a maximum of one academic year. Students who have graduated from high school in their home country will not be eligible for enrollment at East Aurora High School.

Student Requirements

1. The student must reside with a legal adult resident of East Aurora School District or have the permission of the Principal or Superintendent to reside with a host family outside of the District boundaries.
2. The student must possess a valid J-1 visa.
3. The student must be between 15 and 18 years old as of the first day of the school year.
4. The student will be enrolled as a full-time student, will be graded academically the same as resident students (but will not be eligible for honors awards), will be responsible for

school fees and expenses on the same basis as resident students, and will be subject to the same rules and regulations of student conduct as resident students.

5. The student must have average or above average grades in his/her home school and must not be receiving special professional assistance to function in the regular academic program.
6. The student must have sufficient knowledge of the English language to produce effective oral and written communication, to use instructional materials and textbooks printed in English, and to function in the regular educational program without special professional assistance.
7. The student must submit the following documents to request admission:
 - a. Proof of English language proficiency. Evidence he/she has successfully completed a minimum of 3 years of English language instruction which includes speaking and listening as well as reading and writing.
 - b. Evidence of English proficiency as documented by either the Test of English as a Foreign Language (TOEFL), the Secondary Level English Proficiency Test (SLEP), or another means of demonstrating English proficiency to the District, and a letter of recommendation from an English language teacher documenting the nature of the course and the student's level of proficiency.
 - c. Official transcript and/or record of prior education from the student's home school and an English translation of the same documents. The records should reflect the number of hours per week the student spent in class, the courses taken and the grades/credits earned. The transcript must be received no later than August 1 of the year the student is applying for acceptance.
 - d. A written application from the prospective student must be submitted to the East Aurora School District written in English by the student. The application/letter should provide pertinent information about the student and his/her reasons for wanting to attend school in the East Aurora School District for the academic year.
 - e. A copy of his/her health immunization records, translated into English.
 - f. Evidence of health and accident insurance covering the duration of his/her student visa.
 - g. The name, address, and phone number(s) of the student's own parents/guardians, the host family, and the local international exchange program representative.
 - h. Two character references, one of which must be from a professional staff member in the student's home school.
 - i. A notarized temporary custody agreement between the international exchange student's parents/guardians and the host family and/or exchange organization.

Exchange Student Status

1. Students shall be responsible for complying with School District policies and regulations regarding attendance, all academic standards, responsibilities, rights and discipline.
2. Students shall be enrolled in one English class, United States History and/or a Civics class in addition to other appropriate grade level classes.
3. Students must meet all IHSA requirements to be eligible for athletics.
4. The School Board shall not provide students with admission into such programs as Special Education for Handicapped Pupils, English as a Second Language, nor shall it pay for students to attend other schools or institutions of higher education.
5. The student and the host family must be present for registration prior to the first day of school and shall be required to sign a form indicating compliance with all the conditions heretofore outlined.

Responsibilities of Exchange Organizations and Host Families

Exchange organizations and host families are *in loco parentis* with respect to adult supervision of International Exchange Students. The following are specific responsibilities which the School Board expects these adults to assume.

1. Host family and local coordinator for the exchange organization must maintain personal contact with the school and must be available and willing to meet with school personnel when problems or situations require it.
2. If an International Exchange Student's English proficiency is found to be insufficient to function in the regular instructional program without special professional assistance, the exchange organization and the host family shall be required to provide a tutor or make other educational arrangements for the student at their expense.
3. The exchange organization and the host family shall assume the final responsibility for resolving problems including, if necessary, the early return home of the International Exchange Student because of personal, family or school difficulties which cannot be resolved.
4. The exchange organization and host family must provide an orientation to the host family, the East Aurora High School, the U.S. school system, and the community.

Suspension, Revocation or Dismissal

Exchange organizations, host families, and/or international exchange students found to be in violation of any of the School Board policies shall be subject to having their relationship with the District terminated.

LEGAL REF.: 8 U.S.C. 1184 et.seq.

ADOPTED: January 19, 2010

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. If the District knows the current address of the child's natural or adoptive parent, the District shall request in writing that the person complete a signed statement or Power of Attorney stating: (a) the role and responsibility of the person with whom their child is living, and (b) that the person with whom the child is living has full control over the child regarding daily educational and medical decisions in case of emergency.

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

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

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

Requests for Non-Resident Student Admission

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

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

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

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

1. A written agreement with an adjacent school district to provide for tuition-free attendance by a student of that district, provided both the Superintendent or designee and the adjacent district determine that the student's health and safety will be served by such attendance.

2. A written agreement with cultural exchange organizations and institutions supported by charity to provide for tuition-free attendance by foreign exchange students and non-resident pupils of charitable institutions.
3. According to an intergovernmental agreement.
4. Whenever any State or federal law or a court order mandates the acceptance of a non-resident student.

Homeless Children

Any homeless child shall be immediately admitted, even if the child or child’s parent/guardian is unable to produce records normally required to establish residency. Board of Education 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 of Education 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.
 105 ILCS 5/10-20.12a, 5/10-20.12b, and 5/10-22.5.
 105 ILCS 45/ and 70/.
 23 Ill.Admin.Code §1.240.
Israel S. by Owens v. Board of Educ. of Oak Park and River Forest High School
Dist. 200, 601 N.E.2d 1264 (Ill.App.1, 1992).
Joel R. v. Board of Education of Manheim School District 83, 686 N.E.2d 650
(Ill.App.1, 1997).
Kraut v. Rachford, 366 N.E.2d 497 (Ill.App.1, 1977).

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

ADOPTED:

Students

ALTERNATE – Student Residency

Residents

Students who are residents of District 131 will be admitted to school in accordance with admission requirements established by state law. Students enrolling in the District for the first time may be required to provide 3 documents from the list below as proof of residence:

1. Title evidence, mortgage papers, lease agreement, or completed Student Registration and Proof of Residency Questionnaire and notarized Affidavit of Residence (1 only)
2. Utility bill (no more than 2)
3. Photo identification (may include driver's license, Illinois state identification card, etc.)
4. Tax bill
5. Current voter's registration card
6. Library card
7. Loan payment book
8. Home insurance policy
9. Bank account
10. Medical card
11. Green card

District 131 may require periodic verification of residency as a means of validating compliance with the proof of residence requirement.

Non-Residents

It will be the policy of the Board of Education to deny applications for school attendance by nonresident students, except for students enrolled in a cooperative program with another district, who are exempt. Non-resident students may attend District 131 schools only upon the recommendation of the Superintendent and approval of the Board, subject to the following guidelines:

1. The student will attend on a year-to-year basis. Approval for any one year will not be construed as authorization to attend a following year,
2. The student will attend the school designated by the Board of Education.
3. The student will not be accepted for enrollment if the enrollment will result in a class size larger than that considered appropriate by the Board for the respective grade level.
4. Parents/guardians of non-resident students who attend the schools of the District will be charged tuition in accordance with Sections 10-20.12a and 10-20.12b of the Illinois School Code. Tuition may be pre-paid on or before the first day of the semester, or paid in monthly installments, on or before the first day of each month of school attendance. Non-resident students attending the District schools for less than the school term will have their tuition apportioned.
5. Parents of students enrolled under this policy will be required to abide by all rules and regulations set forth by the Board of Education, the Administration and the respective school that the student attends.

Former Residents

Students who are residents of District 131 at the beginning of any school term and who become non-residents during the term will be permitted to complete the remainder of the school term and will not be charged tuition.

Change of Residence Due to Military Service

If a change of residence of any District 131 student is due to the military service obligation of a person who has legal custody of the student, then, upon the written request of the person having legal custody of the student, the residence of the student will be deemed for all purposes relating to enrollment (including tuition, fees, and costs), for the duration of the custodian's military service obligation, to be the same as the residence of the student immediately before the change of residence caused by the military service obligation. District 131 is not responsible for providing transportation to or from school for any student whose residence is so determined. District 131 will facilitate re-enrollment of such students if necessary.

Future Residents

Non-resident parent(s) or guardian(s) who have purchased, rented or built a primary residence within District 131, but will not occupy said residence immediately, may enroll their student(s) in District schools provided that they meet all of the following conditions:

1. The primary residence is to be occupied within 60 calendar days of the start of the school term.
2. The non-resident parent(s) or guardian(s) can provide bona fide evidence of a sales contract, lease, or rental agreement for property within District 131.

All non-resident parent(s) or guardian(s) who meet the above conditions may enroll their student(s) tuition free. Such students are subject to the same terms and conditions of enrollment as are resident students and their parent(s) or guardian(s). Failure to occupy the residence within 60 days may result in immediate assessment of full non-resident tuition, and the student may be excluded from school until the tuition is paid.

Students With Disabilities

The resident district of any child with a disability will be determined in accordance with Article 14 of the Illinois School Code.

Guidelines

The Superintendent is authorized to develop and implement administrative procedures for determining the residency of students attempting to enroll in District schools and for verifying the residence of students already enrolled, where circumstances suggest the student may be a resident of another school district.

The Board will review and determine any disputed residence matters, in accordance with this policy and related administrative guidelines.

LEGAL REF.: Illinois School Code, Sec. 10-20.12a, 10-20.12b, and 10-22.5 (105 ILCS 5/10-20.12a, 5/10-20.12b, and 5/10-22.5); Illinois School Code, Article 14 (105 ILCS 5/14-1.01, et seq.); Illinois Education for Homeless Children Act (105 ILCS 45/1-1 et seq.).

ADOPTED: December 5, 2005

AMENDED: February 2, 2009

Students

Attendance and Truancy

Compulsory School Attendance

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

1. A protocol for excusing a student from attendance who is necessarily and lawfully employed. The Superintendent or designee is authorized to determine when the student's absence is justified.
2. A process to telephone, within 2 hours after the first class, the parents/guardians of students in grade 8 or below who are absent without prior parent/guardian notification.
3. A process to identify and track students who are truants, chronic or habitual truants, or truant minors as defined in the School Code, Section 26-2a.
4. Methods for identifying the cause(s) of a student's unexcused absenteeism, including interviews with the student, his or her parent(s)/guardian(s), and staff members or other people who may have information.
5. The identification of supportive services that may be offered to truant or chronically truant students, including parent-teacher conferences, student and/or family counseling, or information about community agency services. See Board policy 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*.
6. A process to request the assistance and resources of outside agencies, such as, the juvenile officer of the local police department or the truant office of the appropriate Regional Office of Education, if truancy continues after supportive services have been offered.

7. A protocol for cooperating with non-District agencies including County or municipal authorities, the Regional Superintendent, truant officers, the Community Truancy Review Board, and a comprehensive community based youth service agency. Any disclosure of school student records must be consistent with Board policy 7:340, *Student Records*, as well as State and federal law concerning school student records.
8. An acknowledgement that no punitive action, including out-of-school suspensions, expulsions, or court action, shall be taken against a chronic truant for his or her truancy unless available supportive services and other school resources have been provided to the student.
9. The criteria to determine whether a student's non-attendance is due to extraordinary circumstances shall include economic or medical necessity or family hardship and such other criteria that the Superintendent believes qualifies.
10. 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*.
11. 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 State law. A parent/guardian has the right to appeal a decision to exclude a student.

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:

Students

Release Time for Religious Instruction/Observance

A student shall be released from school, as an excused absence, to observe a religious holiday or for religious instruction. The student’s parent/guardian must give written notice to the Building Principal at least 5 calendar days before the student’s anticipated absence(s). This notice 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 religious reasons and include a list of religious holidays on which a student shall be excused from school attendance, how teachers are notified of a student’s impending absence, and the State law requirement that teachers provide the student with an equivalent opportunity to make up any examination, study, or work requirement.

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

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

ADOPTED:

1st DRAFT

Students

Release During School Hours

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

Early Dismissal Announcement

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

CROSS REF.: 4:170 (Safety)

ADOPTED:

1st DRAFT

Students

Health, Eye, 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 sixth and ninth grades; 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 State law:

1. 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.
2. A diabetes screening must be included as a required part of each health examination; diabetes testing is not required.
3. Before admission and in conjunction with required physical examinations, 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.
4. The Department of Public Health will provide all female students entering sixth grade and their parents/guardians information about the link between human papilloma virus (HPV) and cervical cancer and the availability of the HPV vaccine.

Unless an exemption or extension applies, the 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. New students who register after October 15 of the current school year shall have 30 days following registration to comply with the health examination and immunization regulations. 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.

Until June 30, 2015, a student transferring from out-of-state who does not have the required proof of immunizations by October 15 may attend classes only if he or she has proof that an appointment for the required vaccinations is scheduled with a party authorized to submit proof of the required vaccinations. If the required proof of vaccination is not submitted within 30 days after the student is permitted to attend classes, the student may no longer attend classes until proof of the vaccinations is properly submitted.

Eye Examination

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

Parents/guardians of students entering kindergarten or an Illinois school for the first time shall present proof before October 15 of the current school year that the student received an eye examination within one year prior to entry of kindergarten or the school. A physician licensed to practice medicine in all of its branches or a licensed optometrist must perform the required eye examination.

If a student fails to present proof by October 15, the school may hold the student's report card until the student presents proof: (1) of a completed eye examination, or (2) that an eye examination will take place within 60 days after October 15. The Superintendent or designee shall ensure that parents/guardians are notified of this eye examination requirement in compliance with the rules of the Department of Public Health. Schools shall not exclude a student from attending school due to failure to obtain an eye examination.

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 this policy's requirements for:

1. Religious or medical grounds if the student's parents/guardians present to the Superintendent a signed statement explaining the objection;
2. Health examination or immunization requirements on medical grounds if a physician provides written verification;
3. Eye examination requirement if the student's parents/guardians show an undue burden or lack of access to a physician licensed to practice medicine in all of its branches who provides eye examinations or a licensed optometrist; or
4. 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 of Education 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 and 45/1-20.
410 ILCS 45/7.1 and 315/2e.
23 Ill.Admin.Code §1.530.
77 Ill.Admin.Code Part 665.

CROSS REF.: 6:30 (Organization of Instruction), 6:140 (Education of Homeless Children),
6:180 (Extended Instructional Programs), 7:50 (School Admissions and Student
Transfers To and From Non-District Schools)

ADOPTED:

1st DRAFT

Students

ALTERNATE – Health Examinations, Dental Examinations; Eye Examinations, Immunizations; and Exclusion of Students

Health Examinations and Immunizations

All children in Illinois must have a health examination within one year prior to:

1. entering school (this includes students entering special education and/or prekindergarten programs operated by the District, and students transferring into Illinois from outside of the State or outside of the country);
2. entering kindergarten and/or first grade; and
3. entering sixth. grade.

At the following times, parent(s)/guardian(s) must present proof that their child has received the required health examinations (as referenced above) and immunizations against and screenings for preventable communicable diseases (as required by Illinois Department of Public Health Rules):

- Prior to entering a pre-kindergarten program (including a special education program) operated by the District;
- Prior to entering kindergarten and/or first grade;
- Upon entering sixth grade;
- Whenever a student first enrolls in school within the District, regardless of the student's grade.

In addition, annual physical examinations are required for students wishing to try out for, practice, or participate in interscholastic sports.

All physical examinations must be performed by a licensed M.D. (Doctor of Medicine), or D.O. (Doctor of Osteopathy), authorized Advanced Practice Nurse, or authorized Physician Assistant. Proof of required physical examinations and immunizations must be recorded on report forms issued by the Illinois Department of Public Health and/or the Illinois State Board of Education. Said report forms must be completed and signed by the M.D., D.O., Advanced Practice Nurse or Physician Assistant, as applicable, and submitted to the District. If a registered nurse performs any part of a health examination, the physician must review and sign all required report forms.

Deadlines for Proof of Health Examinations and Immunizations

School District 131 hereby establishes the first day of student attendance for the current school year as the date by which each child must submit proof of having had all required health examinations and immunizations. Accordingly, prior to the first day of the school term, students must submit proof of having had the required health examination and immunizations. The District shall give notice of this requirement, and of the requirements of Section 27-8.1 of the Illinois School Code (105 ILCS 5/27-8.1), at least 60 days prior to the first day of student attendance for the current school year.

If for medical reasons one or more of the required immunizations must be given after the first day of student attendance for the current school year, then the child must present, by the first day of student attendance for the current school year, a schedule for the administration of the immunizations and a statement of the medical reasons causing the delay, both of which have been issued by the physician, advanced practice nurse, physician assistant, registered nurse, or local health department that will be responsible for administration of the remaining required immunizations. In addition, the parent(s)/guardian(s) of such students may be required to sign a temporary consent for their child's

participation in physical education, which will be effective until the required physical exam has been completed and filed with the student's records.

Any child who transfers into the District from out-of-state must submit proof of having had all required health examinations and immunizations within thirty (30) days of enrollment. The parent(s)/guardian(s) of such students may be required to sign a temporary consent for their child's participation in physical education, which will be effective until the required physical exam has been completed and filed with the student's records.

Failure to comply with the above requirements/deadlines will result in the student's exclusion from school until the required health forms are presented to the District. During a student's exclusion from school for non-compliance with this policy, the student's parent(s)/guardian(s) will be considered to be in violation of Section 26-1 of the Illinois School Code and subject to any penalty imposed by Section 26-10 of the School Code.

Additional Medical Examinations/Assessments/Information

District staff may require that parent(s)/guardian(s) obtain additional physical examinations for their children when deemed necessary in order to assure the student's health and the health and welfare of other students and staff.

Parent(s)/guardian(s) will be expected to notify the school of any allergies to food or drugs or other physical needs their child may have. Parent(s)/guardian(s) also are encouraged to have their child undergo an eye examination whenever health examinations are required.

Parent(s)/guardian(s) of children between the ages of 6 months and 6 years must provide a statement from a physician or health care provider that their child has been risk-assessed for lead poisoning before the child will be admitted into any District-operated kindergarten, early childhood, or child-care program.

Dental Examinations

All children in kindergarten, second grade and sixth grade must have a dental examination. Parent(s)/guardian(s) of such students must present proof that the student has been examined by a licensed dentist, in accordance with Illinois Department of Public Health Rules, before May 15 of the school year. Proof of required dental examinations must be recorded on report forms issued by the Illinois Department of Public Health and/or the Illinois State Board of Education. Said report forms must be completed and signed by a licensed dentist, and submitted to the District.

If a child in the second or sixth grade fails to present proof of a dental exam by May 15, the school may hold the child's report card until one of the following occurs: (1) the child presents proof of a completed dental examination, or (2) the child presents proof that a dental examination will take place within 60 days after May 15.

The dental examination requirement may be waived for children who demonstrate an undue burden or lack of access to a dentist, in accordance with rules established by the Illinois Department of Public Health.

Eye Examinations

All children enrolling in kindergarten, and any student enrolling in a school for the first time, must have an eye examination. Before October 15 of the school year, parent(s)/guardian(s) of such students must present proof that the student has been examined, within the previous year, by a licensed optometrist or a physician licensed to practice medicine in all of its branches, in accordance with Illinois Department of Public Health rules and Section 27-8.1 of the Illinois School Code. Proof of required eye examinations must be recorded on report forms issued by the Illinois Department of

Public Health and/or the Illinois State Board of Education. Said report forms must be completed and signed by a licensed optometrist or a physician licensed to practice medicine in all of its branches, and submitted to the District.

If a child is required to present proof of an eye exam but fails to do so by October 15, the school may hold the child's report card until one of the following occurs: (1) the child presents proof of a completed eye examination, or (2) the child presents proof that an eye examination will take place within 60 days after October 15.

The eye examination requirement may be waived for children who demonstrate an undue burden or lack of access to a licensed optometrist or a physician licensed to practice medicine in all of its branches who provides eye examinations, in accordance with rules established by the Illinois Department of Public Health.

Exemption on Religious or Medical Grounds

A student may be exempted from this policy's requirements (relating to health exams, dental exams, eye exams, or immunizations) on religious grounds if the student's parent(s)/guardian(s) present, to the building principal, a signed statement explaining the objection. If the physical condition of the child is such that any one or more of the immunizing agents should not be administered, the examining physician, advanced practice nurse, or physician assistant responsible for the performance of the health examination shall endorse that fact upon the health examination form.

Notices, Forms and Records

The school staff will apprise parent(s)/guardian(s) of their obligations under this policy, will furnish the necessary forms, and will keep records of compliance. On or before March 16 of each school year, the School District will provide notice of the dental examination requirement to parents and guardians. Notice of the eye examination requirement will be given in accordance with the rules of the Illinois Department of Public Health.

LEGAL REF.: Illinois School Code, Sec. 26-1, 26-10 and 27-8.1 (105 ILCS 5/26-1, 5/26-10 and 5/27-8.1);
Illinois Lead Poisoning Prevention Act, Sec. 7.1 (410 ILCS 45/7.1).

ADOPTED: March 2, 2009

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:

Students

Search and Seizure

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

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. This paragraph applies to student vehicles parked on school property. In addition, Building Principals shall require each high school student, in return for the privilege of parking on school property, to consent in writing to school searches of his or her vehicle, and personal effects therein, without notice and without suspicion of wrongdoing.

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

Students

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

When feasible, the search should be conducted as follows:

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

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

Seizure of Property

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

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

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

ADOPTED:

1st DRAFT

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/, Children’s Advocacy Center Act.
325 ILCS 5/, Abused and Neglected Child Reporting Act.
720 ILCS 5/31-1 et seq., Interference with Public Officers Act.
725 ILCS 120/, 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:

1st DRAFT

Students

Student Appearance

A student's appearance, including 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 Dist., 89 S.Ct. 733 (1969).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:165 (School Uniform), 7:190 (Student Discipline)

ADOPTED:

1st DRAFT

Students

ALTERNATE - Student Appearance

A student's 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, modesty and decency as determined by the Building Principal, the Superintendent, and/or the Board of Education.

Student dress or attire will conform to the following minimum standards:

1. Hats, jackets, coats and gloves will not be worn in classes.
2. Students will wear shoes. Metal cleats may not be worn. "Heelys" or other shoes with wheels are not permitted.
3. Students will not wear beachwear to classes, except for special school-approved days.
4. Students will not wear P.E. clothing in other classes.
5. Student dress will be appropriate for the school activity.
6. No garments depicting beer, alcohol, liquor, tobacco products, or other drugs will be worn at school.
7. No garments with messages, graphics or symbols depicting weapons or which are derogatory, inflammatory, sexual, or discriminatory, will be worn at school.
8. Students may not wear or display items that are considered to be gang identifiers by our school and community. These identifiers include, but are not limited to: Playboy Bunny insignia, a single glove, 5 pointed stars, arrows or pitchforks shaved into the hair or otherwise displayed. Any other attire, item, insignia, or symbol, which the administration has reasonable cause to believe is a gang identifier, will be prohibited even if it had not previously been so designated in this or any other statement of policy.

ADOPTED: July 1, 2004

REVISED: June 4, 2007

Students

School Dress Code

Students are encouraged to wear school uniforms to school on all school attendance days, in order to maintain and promote orderly school functions, student safety, and a positive learning environment. The Building Principal is authorized to designate days on which this uniform policy is relaxed.

The Superintendent or designee shall designate a school-wide uniform after receiving input from school staff members, parents, and interested community members. Students may:

1. Display religious messages on items of clothing to the same extent they are permitted to display other messages;
2. Wear attire that is part of the student's religious practice;
3. Wear or display expressive items, such as a button, as long as such items do not contribute to disruption by substantially interfering with discipline or with the rights of others; and
4. Wear the uniform of a nationally recognized youth organization such as Boy Scouts or Girl Scouts on regular meeting days.

No student shall be denied attendance at school, penalized, or otherwise subject to compliance measures for failing to wear a uniform because of:

1. Personal choice;
2. Insufficient time in which to comply with this policy; or
3. Financial hardship.

Any student eligible for reduced or free lunches, or for a waiver of student fees, is eligible for financial assistance toward the purchase of school uniforms. The Superintendent or designee shall develop a process for informing parents/guardians of the availability of financial assistance and a method to process financial requests.

Disciplinary action may be taken for failure to comply with this policy. Before initiating disciplinary action, a conference with the parent(s)/guardian(s) shall be requested to solicit cooperation and support.

LEGAL REF: 105 ILCS 5/10-22.25b.

CROSS REF: 7:160 (Student Appearance), 7:190 (Student Discipline)

ADOPTED:

Students

Vandalism

The Board of Education 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/.

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

ADOPTED:

1st DRAFT

Students

Preventing Bullying, Intimidation, and Harassment

Bullying, intimidation, and harassment diminish a student's ability to learn and a school's ability to educate. Preventing students from engaging in these disruptive behaviors is an important District goal.

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

1. During any school sponsored education program or activity.
2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school sponsored or school sanctioned events or activities.
3. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.

For purposes of this policy, the term *bullying* means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student that has or can be reasonably predicted to have the effect of one or more of the following:

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

Bullying, intimidation, and/or harassment may take various forms, including without limitation: threats, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.

The Superintendent or designee shall develop and maintain a program that:

1. Fully implements and enforces each of the following Board policies:
 - a. 7:20, *Harassment of Students Prohibited*. This policy prohibits any person from harassing, intimidating, or bullying a student based on an actual or perceived characteristic that is identified in the policy. Each of those characteristics is also identified in this policy's second paragraph.
 - b. 7:190, *Student Discipline*. This policy prohibits students from engaging in hazing, bullying, or 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, or other comparable conduct.
 - c. 7:310, *Restrictions on Publications*. This policy prohibits students from: (i) accessing and/or distributing at school any written, printed, or electronic material, including material from the Internet, that will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities, and (ii) creating and/or distributing written, printed, or electronic material, including photographs and Internet

material and blogs, that causes substantial disruption to school operations or interferes with the rights of other students or staff members.

- d. 6:235, *Access to Electronic Networks*. This policy states that the use of the District's electronic networks is limited to: (1) support of education and/or research, or (2) a legitimate business use. It subjects any individual to the loss of privileges, disciplinary action, and/or appropriate legal actions for violating the District's *Authorization of Electronic Network Access*.

Full implementation of the above policies includes: (a) conducting a prompt and thorough investigation of alleged incidents of bullying, intimidation, harassing behavior, or similar conduct, (b) providing each student who violates one or more of these policies with appropriate consequences and remedial action, and (c) protecting students against retaliation for reporting such conduct.

2. Examines the appropriate steps to understand and rectify conditions that foster bullying, intimidation, and harassment; this contemplates taking action to eliminate or prevent these disruptive behaviors beyond traditional punitive disciplinary actions.
3. Includes bullying prevention and character instruction in all grades in accordance with State law and Board policy 6:60, *Curriculum Content*. This includes incorporating student social and emotional development into the District's educational program as required by State law and in alignment with Board policy 6:65, *Student Social and Emotional Development*.
4. Fully informs staff members of the District's goal to prevent students from engaging in bullying and the measures being used to accomplish it. This includes: (a) communicating the District's expectation – and the State law requirement – that teachers and other certificated employees maintain discipline, and (b) establishing a process for staff members to fulfill their obligation to report alleged acts of bullying, intimidation, harassment, and other acts of actual or threatened violence.
5. Encourages all members of the school community, including students, parents, volunteers, and visitors, to report alleged acts of bullying, intimidation, harassment, and other acts of actual or threatened violence.
6. Actively involves students' parents/guardians in the remediation of the behavior(s) of concern. This includes ensuring that all parents/guardians are notified, as required by State law, whenever their child engages in aggressive behavior.
7. Communicates the District's expectation that all students conduct themselves with a proper regard for the rights and welfare of other students. This includes a process for commending or acknowledging students for demonstrating appropriate behavior.
8. Annually communicates this policy to students and their parents/guardians. This includes annually disseminating information to all students and parents/guardians explaining the serious disruption caused by bullying, intimidation, or harassment and that these behaviors will be taken seriously and are not acceptable in any form.
9. Engages in ongoing monitoring that includes collecting and analyzing appropriate data on the nature and extent of bullying in the District's schools and, after identifying appropriate indicators, assesses the effectiveness of the various strategies, programs, and procedures and reports the results of this assessment to the Board along with recommendations to enhance effectiveness.
10. Complies with State and federal law and is in alignment with Board policies. This includes prompting the Board to update the policy beginning every 2 years after its initial adoption

and filing this policy with the Illinois State Board of Education after the Board adopts or updates it.

This policy is not intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the U.S. Constitution or under Section 3 or 4 of Article 1 of the Ill. Constitution.

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

CROSS REF.: 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:190 (Student Discipline), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:285 (Food Allergy Management Program), 7:310 (Restrictions on Publications)

ADOPTED:

1st DRAFT

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 had 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 unless being administered in accordance with a physician's or licensed practitioner's prescription.
 - c. Any performance-enhancing substance on the Illinois High School Association's most current banned substance list unless administered in accordance with a physician's or licensed practitioner's prescription.
 - d. Any prescription drug when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or prescribing physician's or licensed practitioner's instructions.
 - e. 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.
 - f. "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.
 - g. 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" as that term is defined in the *Weapons* section of this policy, or violating the *Weapons* section of this policy.
5. Using or possessing an electronic paging device. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student

conduct rules. Prohibited conduct specifically includes, without limitation, creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device, or cellular phone. Unless otherwise banned under this policy or by the Building Principal, all electronic devices must be kept powered-off and out-of-sight during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student's individualized education program (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 hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to a staff person or another student, or urging other students to engage in such conduct. Prohibited conduct specifically includes, without limitation, any use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing, bullying, bullying using a school computer or a school computer network, or other comparable conduct.
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 of Education policy regarding truancy control will be used with chronic and habitual truants.
12. Being involved with any public school fraternity, sorority, or secret society, by: (a) being a member; (b) promising to join; (c) pledging to become a member; or (d) 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, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, and hazing.
15. Making an explicit threat on an Internet website against a school employee, a student, or any school-related personnel if the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school.
16. 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 in which 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 psychological harm to someone else. The Superintendent or designee shall ensure that the parent/guardian of a student who engages in aggressive behavior is notified of the incident. The failure to provide such notification does not limit the Board’s authority to impose discipline, including suspension or expulsion, for such behavior.

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

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

1. On, or within sight of, school grounds before, during, or after school hours or at any time;
2. Off school grounds at a school-sponsored activity or event, or any activity or event that 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/guardian has 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.

A student who is subject to a suspension in excess of 20 school days or an expulsion may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of the School Code.

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

Weapons

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

1. A firearm, meaning any gun, rifle, shotgun, or weapon as defined by Section 921 of Title 18 of the United States Code (18 U.S.C. § 921), firearm as defined in Section 1.1 of the Firearm Owners Identification Card Act (430 ILCS 65/), or firearm as defined in Section 24-1 of the Criminal Code of 1961 (720 ILCS 5/24-1).
2. A knife, brass knuckles, or other knuckle weapon regardless of its composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including "look alikes" of any firearm as defined above.

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

Required Notices

A school staff member shall immediately notify the office of the Building Principal in the event that he or she: (1) observes any person in possession of a firearm on or around school grounds; however, such action may be delayed if immediate notice would endanger students under his or her supervision, (2) observes or has reason to suspect that any person on school grounds is or was involved in a drug-related incident, or (3) observes a battery committed against any staff member. Upon receiving such a report, the Building Principal or designee shall immediately notify the local law enforcement agency, State Police, and any involved student's parent/guardian. "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, that is appropriate and in accordance with the policies and rules on student

discipline. Teachers, other certificated educational employees, and other persons providing a related service for or with respect to a student, may use reasonable force as needed to maintain safety for other students, school personnel, or other persons, or for the purpose of self-defense or defense of property. Teachers may temporarily remove students from a classroom for disruptive behavior.

The Superintendent, Building Principal, Assistant Building Principal, or Dean of Students is authorized to impose the same disciplinary measures as teachers and may suspend students guilty of gross disobedience or misconduct from school (including all school functions) and from riding the school bus, up to 10 consecutive school days, provided the appropriate procedures are followed. The Board may suspend a student from riding the bus in excess of 10 school 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, 5/10-20.36, 5/10-21.7, 5/10-21.10,
5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/24-24, 5/26-12, 5/27-23.7, and 5/31-3.
23 Ill.Admin.Code §1.280.

CROSS REF.: 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline),
6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out
of School 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), 7:180 (Preventing Bullying, Intimidation, and Harassment), 7:200
(Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus Conduct),
7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for
Participants in Extracurricular Activities), 7:270 (Administering Medicines to
Students), 7:310 (Restrictions on Publications), 8:30 (Visitors to and Conduct on
School Property)

ADOPTED:

Students

Suspension Procedures

The Superintendent shall implement suspension procedures that provide, at a minimum, for the following:

1. Before a student may be suspended, 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 that was violated, and a notice to the parent(s)/guardian(s) of their right to a review of the suspension. The Board of Education must be given a summary of the notice, including the reason for the suspension and the suspension length.
4. Upon request of the parent(s)/guardian(s), a review of the suspension shall be conducted by the Board 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:

Students

Expulsion Procedures

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

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

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

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

ADOPTED:

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 Board of Education 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 Superintendent 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 of Education 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.

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 School District for any necessary repairs or replacement.

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/
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:

Students

Visual/Audio Recording on School Buses

The Board of Education authorizes its transportation provider (transportation company) to implement visual recording and/or audio recording of the interior of any or all school buses while the buses are being used in the transportation of students to and from school and school-sponsored activities. The transportation company may use visual/audio recording equipment on school buses to promote transportation safety, to prevent vandalism, to monitor bus drivers, to identify disruptive students, and to document the activities of riders during transport to and from school and school activities. Usually, visual/audio recording equipment will be placed in the interior front of the school bus, facing the rear.

On each school bus with a visual and/or audio recording system, a notice will be clearly posted on the door of the bus and on the inside of the bus, stating that visual and/or audio surveillance is being used to encourage transportation safety and proper student behavior. Notice of this policy will be included in the District's student handbook(s) and other documents that include Board policies. Notice of this policy will be provided to parents and guardians on an annual basis (via student handbooks or other means, as determined by the Board).

Students found to be in violation of the District's bus conduct rules shall be subject to discipline in accordance with District policy and applicable law.

The supervision and control of all visual/audio equipment shall be the responsibility of the transportation company. All visual/audio recordings and unused visual/audio equipment shall be inventoried and maintained in a secure location by the transportation company. Each recording shall be identified by date, route and driver. Visual/audio recordings will be retained for approximately six (6) months (and must be retained for at least thirty (30) calendar days after the date of recording, or until such later time at which the School District determines that they are no longer necessary. The transportation company must notify the Director of Student Services and Special Education prior to erasing any visual/audio recording, and must retain the recording if directed to do so by the Director of Student Services and Special Education.

In the event that the transportation company provides the School District with a copy of the visual/audio recording for the School Districts use, the School District will be responsible for storing and maintaining the copy provided to it.

Recordings made pursuant to this policy constitute confidential records and may only be used by school officials (or their designees) and law enforcement personnel for investigations, school disciplinary actions and hearings, proceedings under the Juvenile Court Act of 1987, and criminal prosecutions, related to incidents occurring in or around the school bus. For purposes of this policy, the term "school officials" includes members of the Board of Education, the Superintendent, Assistant Superintendents, Directors, Principals, Assistant! Principals, Deans, transportation company officials, and other appropriate officials/personnel. The visual/audio recordings may not be used for general showings to individuals or to groups. The visual/audio recordings may not be given to the media. Visual/audio recordings may be used by transportation company officials in accordance with this policy. In addition, in the event that a bus with visual/audio surveillance is used for joint transportation of District 131 students and the students of another public school district, relevant visual/audio recordings may be made available to the officials of the other public school district for use in accordance with this policy.

Nothing contained in this policy shall be deemed or interpreted to create an employment relationship between School District 131 and any bus driver or other transportation company personnel, or to impose any responsibility upon School District 131 for the supervision or evaluation of school bus drivers or other transportation company personnel.

LEGAL REF.: 720 ILCS 5/14-3(m)

ADOPTED: April 21, 2008

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 Board of Education will establish and maintain a committee to develop, implement, and monitor procedures on the use of behavioral interventions for children with disabilities.

Discipline of Special Education Students

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

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

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

ADOPTED:

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 of Education 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 as good citizens and exemplars of their school at all times, including after school, on days when school is not in session, and whether on and off school property, 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.

All coaches and sponsors of extracurricular activities shall annually review the rules of conduct with participants and provide participants with a copy. In addition, coaches and sponsors of interscholastic athletic programs shall provide instruction on steroid abuse prevention to students in grades 7 through 12 participating in these programs.

Performance Enhancing Drug Testing

State law requires the Illinois High School Association (IHSA) to prohibit a student from participating in an athletic competition sponsored or sanctioned by IHSA unless the student has agreed, (a) not to use any performance-enhancing substances on IHSA's current banned drug list, and (b) to submit to random testing for these substances in the student's body if the student is in high school. In addition, the student's parent/guardian must sign a statement for IHSA containing specific acknowledgments including that the student, if in high school, may be subject to random performance-enhancing substance testing and that violating the laws regulating the use of performance-enhancing substances is a crime.

IHSA, with oversight from the Illinois Department of Public Health, administers a performance-enhancing substance testing program under which high school participants in athletic competition sponsored or sanctioned by IHSA are tested at multiple times throughout the athletic season for the presence in their bodies of performance-enhancing substances on the IHSA's banned drug list.

LEGAL REF.: Board of Education of Independent School Dist. No. 92 v. Earls, 122 S.Ct. 2559 (2002).

Clements v. Board of Education of Decatur, 478 N.E.2d 1209 (Ill.App.4, 1985).

Kevin Jordan v. O'Fallon THSD 203, 706 N.E.2d 137 (Ill.App.5, 1999).

Todd v. Rush County Schools, 133 F.3d 984 (7th Cir., 1998).

Veronia School Dist. 475 v. Acton, 515 U.S. 646 (1995).

105 ILCS 5/24-24, 5/27-23.3, 25/2.

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

ADOPTED:

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.
5. Parent Liaisons
6. Career Center
7. Occupational Therapy
8. Speech Therapy
9. Sign Language Interpreters
10. Vision and Hearing Technician.

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/
Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/.

CROSS REF.: 6:65 (Student Social and Emotional Development), 6:270 (Guidance and Counseling Program), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:280 (Communicable and Chronic Infectious Diseases), 7:340 (Student Records)

ADOPTED:

Students

Mentoring

Based upon studies and reports provided by the administration of the East Aurora School District ("the Administration") to the Board of Education ("the Board"), the Board recognizes that some students within the District face circumstances which deprive them of meaningful and appropriate social and educational modeling and who consequently have difficulty in managing their academic responsibilities, in recognizing the relationship between effort and achievement, and in understanding the value of educational opportunities. For such students, the Board, based upon recommendations from the Administration, recognizes the value which a mentoring program can have in maximizing the effectiveness of the educational program offered by the District. The Board further recognizes that an effective mentoring program contemplates matching students with individual mentors from whom the student will receive some individualized attention. The Board further recognizes that inherent in every student-teacher or student-mentor relationship, are risks that require adherence to appropriate boundaries between students and those to whom their educational and social development is entrusted. Accordingly, the Board hereby declares that it is the policy of the Board of Education to encourage the Administration to develop a mentoring program for approval by the Board which maximizes the benefit to the students served by such program and minimizes the risks to the student, the mentor, the Administration and the District.

The program shall include and adhere to the following limitations:

1. Students eligible for the program shall be identified by the principal of the building to which such students are assigned. Such identification shall be made in consultation with teachers and counselors in the building.
2. Students may participate in the program only with the written consent of the student's parents or guardian, which shall be on a form prepared by the District which sets forth sufficient details about the program to enable the parent of the student to give his or her informed consent to the student's participation in the program.
3. Each student will be assigned to a mentor pursuant to procedures which will be specified by the Administration. All mentors must be full-time employees of the District holding a teaching or administrative certification issued by the Illinois State Board of Education and/or possessing credentials which the Superintendent shall determine will qualify such individual to serve as a mentor. All procedures and qualifying credentials shall be set forth in a written policy approved by the Board prior to the appointment of mentors.
4. Mentors shall not transport mentees in the mentor's personal vehicle unless authorized to do so by the Superintendent and shall, under no circumstances, transport a mentee in the mentor's or any other person's or entity's vehicle unaccompanied by another adult who has been authorized to act as a mentor in the program.
5. The administration shall develop a calendar of approved activities (beyond regular onsite meetings between the mentor and mentee) in which mentors may participate with the student or students assigned to them. All such activities shall take place on school grounds and shall be supervised by at least two adult mentors at all times. The administration shall develop rules and procedures to be followed by mentors for participating in activities with the students assigned to them which occur off school property. Such rules shall prohibit a mentor from attending offsite activities unless such activities are simultaneously supervised by no less than two qualified adult mentors.

6. The Administration shall develop written rules limiting expenditures made by mentors on behalf of the students assigned to them and limiting the types and value of gifts that may be given by the mentors to the students assigned to them.
7. The Administration shall develop a training course to be taken and passed by all mentors prior to the assignment of students to them.
8. A mentor's access to his or her student's school records shall be granted only in conformance with the terms and provisions of the Illinois School Student Records Act.
9. Individuals currently serving as mentors to students may continue to serve as mentors provided that said mentors follow all of the limitations set forth in this policy. Said mentors shall thereafter comply with all of the terms of the program developed by the Administration and hereafter adopted by the Board of Education.

ADOPTED: September 6, 2011

1st DRAFT

Students

Exemption from Physical Activity

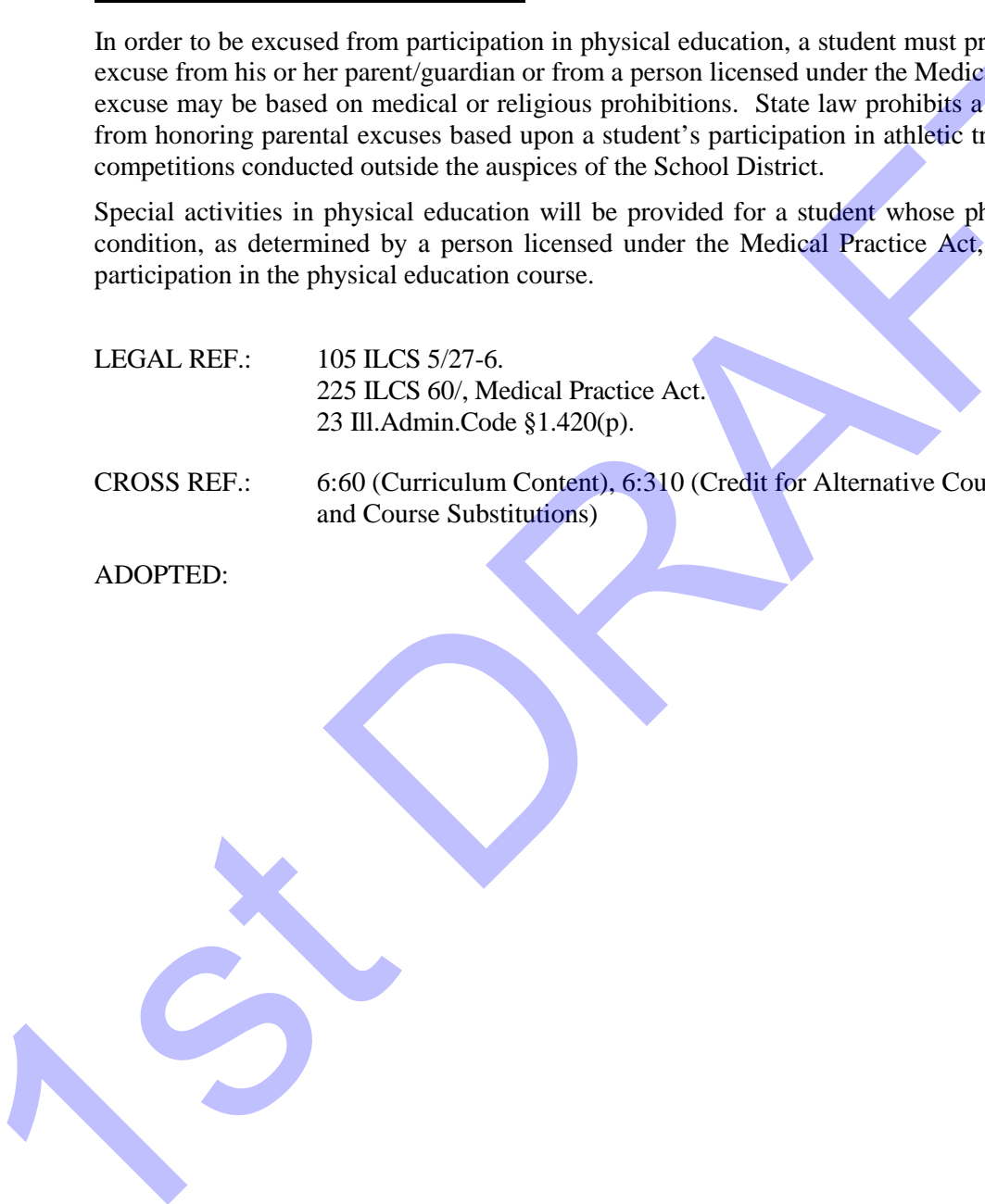
In order to be excused from participation in physical education, a student must present an appropriate excuse from his or her parent/guardian or from a person licensed under the Medical Practice Act. The excuse may be based on medical or religious prohibitions. State law prohibits a Board of Education 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 a student whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act, prevents his or her participation in the physical education course.

LEGAL REF.: 105 ILCS 5/27-6.
225 ILCS 60/, Medical Practice Act.
23 Ill.Admin.Code §1.420(p).

CROSS REF.: 6:60 (Curriculum Content), 6:310 (Credit for Alternative Courses and Programs, and Course Substitutions)

ADOPTED:



Students

Administering Medicines to Students

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

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

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

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

Self-Administration of Medication

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

School District Supply of Epinephrine Auto-Injectors

The Superintendent or designee shall implement Section 22-30(f) of the School Code and maintain a supply of epinephrine auto-injectors in the name of the District and provide or administer them as necessary according to State law. This section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for school epinephrine auto-injectors and a standing protocol from a physician licensed to practice medicine in all its branches, or (2) fill the District's prescription for school epinephrine auto-injectors.

Upon implementation of this subsection and Section 22-30(f) of the School Code, the protections from liability and hold harmless provisions as explained in Section 22-30(c) of the School Code apply.

No one, including without limitation parents/guardians of students, should rely on the District for the availability of an epinephrine auto-injector. This policy does not guarantee the availability of an epinephrine auto-injector; students and their parents/guardians should consult their own physician regarding this medication.

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

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

ADOPTED:

1st DRAFT

Students

Orders to Forgo Life-Sustaining Treatment

Written orders from parent(s)/guardian(s) to forgo life-sustaining treatment for their child or ward must be signed by the child's physician and given to the Superintendent. This policy shall be interpreted in accordance with the Illinois Health Care Surrogate Act (755 ILCS 40/).

Whenever an order to forgo life-sustaining treatment is received, the Superintendent shall convene a multi-disciplinary team that includes the child's parent(s)/guardian(s) and physician, as well as school personnel designated by the Superintendent. The team shall determine specific interventions to be used by school staff members in the event the child suffers a life-threatening episode at school or a school event. The District personnel shall convey orders to forgo life-sustaining treatment to the appropriate emergency or healthcare provider.

LEGAL REF.: Health Care Surrogate Act, 755 ILCS 40/
Cruzan v. Director, Missouri Dept. of Health, 497 U.S. 261 (1990).
In re: C.A., a minor, 603 N.E.2d 1171 (Ill.App.1, 1992).

ADOPTED:

1st DRAFT

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 Board of Education’s policies. The Superintendent will develop procedures to safeguard these rights while managing health and safety concerns.

LEGAL REF.: 105 ILCS 5/10-21.11.
410 ILCS 315/2a.
23 Ill.Admin.Code §§ 1.610 and 226.300.
77 Ill.Admin.Code Part 690.
Individuals With Disabilities Education Act, 20 U.S.C. §1400 et seq.
Rehabilitation Act, Section 504, 29 U.S.C. §794(a).

ADOPTED:



Students

Food Allergy Management Program

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

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

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

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

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

ADOPTED:

Students

ALTERNATE - Food Allergy Management Program

A student's risk of exposure to allergens that could trigger a food-allergic reaction may be increased by attendance at school. A food allergy is an adverse reaction to a food protein mediated by the immune system which immediately reacts causing the release of histamine and other inflammatory chemicals and mediators. While it is impossible for the District to completely eliminate the risks of exposure to allergens for students attending school, a Food Allergy Management Program involving a cooperative effort among students, their families, and staff members can help the District reduce those risks and provide accommodations and proper treatment for allergic reactions.

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

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

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

ADOPTED: January 18, 2011

Students

Extracurricular Athletics

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

1. The student must meet the academic criteria set forth in the Board of Education policy on 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.
4. The student must show proof of accident insurance coverage either by a policy purchased through the District-approved insurance plan or a parent(s)/guardian(s) written statement that the student is covered under a family insurance plan.
5. The student and his or her parent(s)/guardian(s) must complete forms required by the Illinois High School Association (IHSA) concerning its performance-enhancing substance testing program, implemented in accordance with State law, before the student may participate in an athletic competition sponsored or sanctioned by IHSA.

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

LEGAL REF.: 105 ILCS 5/10-20.30, 25/2.
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), 7:330 (Student Use of Buildings - Equal Access), 7:340 (Student Records)

ADOPTED:

Students

ALTERNATE – Participation in Extracurricular Activities

The Board of Education of District 131 encourages its students to broaden their skills, knowledge and citizenship by participating in school-sponsored clubs, councils, interscholastic and intramural athletics, theatrical productions, and other extracurricular activities. However, participation in school-sponsored and school-supported athletic and extracurricular activities will be subject to the following:

High School Participation

In order to be eligible for participation in any school-sponsored or school-supported athletic or extracurricular activity, each student must maintain a passing grade in no less than five (5) courses, as determined on a weekly basis.

Any student who fails to meet this requirement will be suspended from further participation in all school-sponsored and school-supported athletic and extracurricular activities for seven (7) calendar days.

In addition, any student who fails to maintain a passing grade in no less than five (5) courses for a given semester will be prohibited from participating in any school-sponsored or school-supported athletic and extracurricular activities for the following semester.

Participation in school-sponsored or school-supported athletic or extracurricular activities also may be subject to additional eligibility requirements imposed by the Illinois High School Association (IHSA) or other governing bodies.

School-sponsored and school-supported athletic and extracurricular activities include, but are not limited to: 1) all activities sanctioned by the IHSA; 2) cheerleading, pom-poms, and drill team; and 3) all events of a competitive nature between two or more schools. The list of included activities will be periodically reviewed and updated by the Administration. Activities that are linked to a student's grade will not be considered to be school-sponsored or school-supported athletic or extracurricular activities. Performances that are not linked to a student's grade will be considered on a semester basis only.

Middle School Participation

In order to participate in such school activities, however, each student must maintain a passing grade in all courses in which he/she is currently enrolled.

1. These guidelines apply to all interscholastic contest-related activities.
2. Any student participating in one of these activities must maintain passing grades in all subjects.
3. If a student is deficient (failing in any class), the following will occur:
 - a. For the first deficiency, the subject will be put on probation, and given one week to achieve eligibility.
 - b. If the deficiency is not corrected at the conclusion of one week, the student will be allowed to practice, but not participate in any contest during the second week.
 - c. If eligibility is not regained by the end of the second week, the student will not be allowed to practice or participate until eligibility is regained.
4. If a student earns a second deficiency mark after having regained eligibility, the above process will be followed less the week of probation.

5. Individual cases of eligibility will be reviewed by the coach/sponsor, assistant principal, teacher(s) and principal or his designee.

Reporting

A copy of this policy will be filed with the Illinois State Board of Education concurrently upon its adoption. After this policy has been in effect for one year, the Superintendent is directed to file a report with the State Board -- setting forth the number and length of suspensions imposed under this policy during the period covered by the report.

Practice Sessions

Practice sessions shall not be held for extracurricular activities including, but not limited to athletics, on Sundays, Thanksgiving Day, Christmas Day, New Year's Day, or at other times when school is not in session due to severe weather conditions; provided, however, that practice sessions may be held on Sundays for any athletic team that advances to a post-season level of play of an IHSA sponsored competition. Students who are unable to attend any Sunday or Spring vacation practice session may not be penalized for non-attendance.

LEGAL REF.: Illinois School Code, Sec. 10-20.30 (105 ILCS 5/10-20.30). Adopted: September 21, 2009

ADOPTED: September 21, 2009

1st DRAFT

Students

Student Athlete Concussions and Head Injuries

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

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

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

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

ADOPTED:

Students

Restrictions on Publications

School-Sponsored Publications and Web Sites

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

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

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

Non-School Sponsored Publications Accessed or Distributed On-Campus

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

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

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

1. Will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities;
2. Violates the rights of others, including but not limited to material that is libelous, invades the privacy of others, or infringes on a copyright;
3. Is socially inappropriate or inappropriate due to maturity level of the students, including but not limited to material that is obscene, pornographic, or pervasively lewd and vulgar, contains indecent and vulgar language, or *sexting* as defined by Board of Education policy and Student Handbooks;
4. Is reasonably viewed as promoting illegal drug use; or
5. Is distributed in kindergarten through eighth grade and is primarily prepared by non-students, unless it is being used for school purposes. Nothing herein shall be interpreted to prevent the inclusion of material from outside sources or the citation to such sources as long as the material to be distributed or accessed is primarily prepared by students.

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

Non-School Sponsored Publications Accessed or Distributed Off-Campus

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

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

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

ADOPTED:

1st DRAFT

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.
7. Any fund-raising efforts that solicit donor messages for incorporation into school property (e.g., tiles or bricks) or placement upon school property (e.g., posters or placards) must:
 - a. Develop viewpoint neutral guidelines for the creation of messages;
 - b. Inform potential donors that all messages are subject to review and approval, and that messages that do not meet the established guidelines must be resubmitted or the donation will be returned; and
 - c. Place a disclaimer on all fundraising information and near the completed donor messages that all messages are "solely the expression of the individual donors and not an endorsement of any message's content by the District."

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

CROSS REF.: 4:90 (Activity Funds), 8:80 (Gifts to the District), 8:90 (Parent Organizations and Booster Clubs)

ADOPTED:

Students

Student Use of Buildings - Equal Access

Student groups or clubs that are not school sponsored are granted free use of school premises for a meeting or series of meetings under the following conditions:

1. The meeting is held during those noninstructional times identified by the Superintendent or designee for noncurricular student groups, clubs, or organizations to meet. "Noninstructional time" means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends. "Noncurricular student groups" are those student groups, clubs, or organizations that do not directly relate to the curriculum.
2. All noncurriculum related student groups that are not District sponsored receive substantially the same treatment.
3. The meeting is student-initiated, meaning that the request is made by a student.
4. Attendance at the meeting is voluntary.
5. The school will not sponsor the meeting.
6. School employees are present at religious meetings only in a non-participatory capacity.
7. The meeting and/or any activities during the meeting do not materially or substantially interfere with the orderly conduct of educational activities.
8. Non-school persons do not direct, conduct, control, or regularly attend the meetings.
9. The school retains its authority to maintain order and discipline.
10. A school staff member or other responsible adult is present in a supervisory capacity.
11. The Superintendent or designee approves the meeting or series of meetings.

The Superintendent or designee shall develop administrative procedures to implement this policy.

LEGAL REF.: Equal Access Act, 20 U.S.C. §4071 *et seq.*
Board of Education of Westside Community School Dist. v. Mergens, 496 U.S. 226, 110 S.Ct. 2356, 110 L.Ed.2d 191 (1990).
Gernetzke v. Kenosha Unified School Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), *cert. denied*, 122 S.Ct. 1606.

CROSS REF.: 7:10 (Equal Education Opportunities), 8:20 (Community Use of School Facilities)

ADOPTED:

Students

Student Records

School student records are confidential and information from them shall not be released other than as provided by law. A school student record is any writing or other recorded information concerning a student and by which a student may be identified individually that is maintained by a school or at its direction or by a school employee, regardless of how or where the information is stored, except for certain records kept in a staff member's sole possession; records maintained by law enforcement officers working in the school; video and other electronic recordings that are created in part for law enforcement, security, or safety reasons or purposes; and electronic recordings made on school buses.

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

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

Student Biometric Information Collection

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

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

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

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

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

LEGAL REF.: Chicago Tribune Co. v. Chicago Bd. of Ed., 773 N.E.2d 674 (Ill.App.1, 2002).
Owasso I.S.D. No. I-011 v. Falvo, 122 S.Ct. 934 (2002).
Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99.
Children's Privacy Protection and Parental Empowerment Act, 325 ILCS 17/.
105 ILCS 5/10-20.21b, 20.37, 20.40, 5/14-1.01 et seq., and 10/.
50 ILCS 205/7.
23 Ill.Admin.Code Parts 226 and 375.

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

ADOPTED:

1st DRAFT

Students

ALTERNATE – Student Biometric Information

For purposes of this policy, the term "biometric information" is defined as any information that is collected through an identification process for individuals based on their unique behavioral or physiological characteristics, including fingerprint, hand geometry, voice, or facial recognition or iris or retinal scans.

In accordance with School Code Section 10-20.40, the following requirements apply to the collection and use of student biometric information by the School District:

- The School District will obtain written permission from the individual who has legal custody of the student (as defined in School Code Section 10-20.12b, 105 ILCS 5110-20.12b), or from the student if he/she has reached the age of 18.
- Failure to provide written consent, in accordance with the above paragraph, by the individual who has legal custody of a student, or by the student if he/she has reached the age of 18, will not be the basis for refusal of any services otherwise available to the student.
- The School District will discontinue using a student's biometric information under either of the following circumstances:
 1. Upon the student's graduation or withdrawal from the School District; or
 2. Upon receipt of a written request for discontinuation by the individual having legal custody of the student, or by the student if he/she has reached the age of 18.
- The School District will destroy all of a student's biometric information within 30 days after use of the biometric information is discontinued in accordance with the above paragraph.
- The School District will use students' biometric information solely for identification or fraud prevention purposes.
- The School District will not sell, lease, or otherwise disclose student biometric information to another person or entity, unless:
 1. The individual who has legal custody of the student, or the student if he/she has reached the age of 18, consents to the disclosure; or
 2. The disclosure is required by court order.
- The School District will implement procedures to protect student biometric information from unauthorized disclosure, including during storage and transmittal of the information.

LEGAL REF.: Section 10-20.40 of the Illinois School Code, 105 ILCS 5/10-20.40.

ADOPTED: January 22, 2008

Students

Student Privacy/Parental Access to Information

Instructional Material

Upon request, a parent may inspect any instructional material used as part of the educational curriculum for his or her child. Such material will be made available for inspection within a reasonable time after an inspection request is received. For purposes of this policy, the term "instructional material" is defined as instructional content that is provided to a student, regardless of its format, including printed material, audio-visual material, and material in electronic or digital formats. The term "instructional material" does not include academic tests or academic assessments.

Surveys Created by a Third Party

Upon request, a parent may inspect a student survey created by a third party before the survey is administered or distributed by a school official or staff member. Such surveys will be made available for inspection within a reasonable time after an inspection request is received.

Surveys Requesting Certain Personal Information

Upon request, a parent may inspect any student survey requesting information about:

1. Political affiliations or beliefs of the student or the student's parent;
2. Mental or psychological problems of the student or the student's family;
3. Sex behavior or attitudes;
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 of lawyers, physicians and ministers;
7. Religious practices, affiliations or beliefs of the student or his/her parent; or
8. Income (other than as required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

The District will obtain prior written consent from parents before students are required to submit to any such survey funded in whole or in part by U.S. Department of Education funds. For any such survey not funded in whole or in part by U.S. Department of Education funds, parents will receive prior notice of the survey and an opportunity to opt their children out of participating, in accordance with the procedures set forth below.

When a student does participate in such a survey, his or her privacy will be protected through procedures designed to insure that his or her identity will not be disclosed.

Physical Exams or Screenings

Parents will receive prior notice of any nonemergency, invasive physical examination or screening that is--(1) required as a condition of attendance; (2) administered by the school and scheduled by the school in advance; and (3) not necessary to protect the immediate health and safety of the student or other students. In addition, parents may elect not to allow their children to participate in such a

physical examination or screening. For purposes of this policy, the term "invasive physical examination or screening" does not include hearing, vision or scoliosis screening.

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

1. Is administered in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. 31400, et seq.; or
2. Is permitted or required by an applicable State law, including physical examinations or screenings that are permitted without parental notification.

Collection of Personal Information for Marketing Purposes

For purposes of this section, the term "personal information" means individually identifiable information including: a student's or parent's first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.

In connection with any instrument used to collect personal information for the purpose of marketing or selling the information (or otherwise providing the information to others for that purpose):

1. Parents will receive prior notification of the administration or distribution of any such instrument.
2. Upon request, a parent may inspect any such instrument prior to its administration or distribution. The instrument will be made available for inspection within a reasonable time after an inspection request is received.
3. A parent may elect not to allow his or her child to participate in the completion of or response to any such instrument.

The provisions of this section do not apply 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 education institutions, such as the following:

- a. College or other postsecondary education recruitment, or military recruitment;
- b. Book clubs, magazines, and programs providing access to low-cost literary products;
- c. Curriculum and instructional materials used by elementary and secondary schools;
- d. Student recognition programs;
- e. Student sales of products or services to raise funds for school- or education-related activities;
- f. Tests and assessments used by elementary and secondary schools 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.

Opt-Out/Inspection Request Procedures

Parents who wish to opt their children out of participation in one or more of the activities identified herein (surveys requesting personal information, collection of personal information for marketing purposes, and physical examinations or screenings as defined herein) must submit a signed and dated written opt-out notice to the Building Principal at least two (2) school days prior to the activity date. The notice must identify the activity and state that the parent elects not to allow his or her child to participate in the activity.

Parents who wish to inspect surveys, instructional materials and/or instruments used to collect personal information for marketing purposes must submit a written inspection request to the District

office, directed to the Superintendent. The request must identify the specific item to be inspected, and must be submitted prior to any deadline set forth in the notice of inspection rights.

Notification of Policies and Special Events

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

1. This policy, including the ability to obtain a copy of the policy, upon request, from the District office;
2. The procedures by which parents may opt their children out of activities as provided in this policy;
3. Inspection request procedures; and
4. The approximate dates on which the following activities are scheduled or are expected to be scheduled:
 - a. Surveys requesting personal information;
 - b. Collection of personal information for marketing purposes; and
 - c. Physical examinations or screenings as defined herein.

The notice shall be given at least annually, at the beginning of the school year, and within a reasonable time after any substantive change in this policy.

Student Rights

The rights provided to a parent under this policy transfer to the student when the student reaches 18 years of age or is an emancipated minor.

LEGAL REF.: Protection of Pupil Rights Act, 20 U.S.C.A. 31232h
ADOPTED: July 1, 2004
REVISED: March 5, 2007