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## SUMMARY OF NEW AND POLICY UPDATES

- 7:150 Agency and Police Interviews – Policy and cross reference updated
- 7:190 Student Behavior (formerly known as Student Discipline) – Policy language reordered
- 7:200 Suspension Procedures – Policy rewritten
- 7:220 Bus Conduct – Policy and cross reference updated
- 7:300 Extracurricular Athletics – Policy not previously adopted
- 7:305 Student Athlete Concussions and Head Injuries – New Policy

June, 2016

# DRAFT UPDATE

SPEED - SEJA #802

7:150

## Students

### Agency and Police Interviews

The Superintendent shall ~~develop procedures to~~ manage requests by agency officials or police officers to interview students at school, ~~through Procedures that will:~~ (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.

A staff member shall be present during any interview granted.

**Comment [AKL1]:** The policy and Cross References are updated. The policy is updated in response to subscriber feedback to clarify that superintendents are responsible for developing procedures and implementing this policy. It was also reviewed in light of P.A. 99-456 (eff. 9-15-2016).  
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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~~Behavior)

ADOPTED: ~~September 3, 2009~~

This policy is **rewritten** in response to legislation (P.A. 99-456). Much of the previous policy language remains, but has been reordered. The extent of the updates made our usual PRESS Plus process for showing changes too cumbersome. A redlined version is available in the Committee Worksheets via PRESS Online.

February 2016

7:190

## Students

This policy becomes effective and replaces the current policy on *Student Discipline* on the first student attendance day of the 2016-2017 school year.

### Student Behavior (formerly known as Student Discipline)

The goals and objectives of this policy are to provide effective discipline practices that: (1) ensure the safety and dignity of students and staff; (2) maintain a positive, weapons-free, and drug-free learning environment; (3) keep school property and the property of others secure; (4) address the causes of a student's misbehavior and provide opportunities for all individuals involved in an incident to participate in its resolution; and (5) teach students positive behavioral skills to become independent, self-disciplined citizens in the school community and society.

#### When and Where Conduct Rules Apply

A student is subject to disciplinary action for engaging in *prohibited student conduct*, as described in the section with that name below, 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.

#### 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 or nicotine materials, including without limitation, electronic cigarettes.
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, selling, or offering for sale:
  - a. Any illegal drug or controlled substance, or cannabis (including medical cannabis, marijuana, and hashish).
  - b. Any anabolic steroid unless it is 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.

**Comment [APowell1]:** Once adopted, this policy should be placed in the board's policy manual and used by staff to come into compliance with P.A. 99-456. On the first attendance day of the 2016-2017 school year, this policy will replace the former version, which can be deleted from the policy manual at that time. See the Update Memo for more information.  
**Issue 91, February 2016**

**Comment [APowell2]:** The policy title is changed to refocus the policy on student behavior and reduce its punitive tone. The parent-teacher advisory committee should meet to discuss the changes to this policy necessitated by P.A. 99-456 before the legislation's effective date of 9-15-2016.  
**Issue 91, February 2016**

**Comment [APowell3]:** Goals and objectives are added to give the board a focus for monitoring the policy. This list can be deleted, replaced, or modified by the board.  
**Issue 91, February 2016**

**Comment [APowell4]:** This subhead title was added and the section moved to this new location within the policy to clarify that the district will take disciplinary action only when a student engages in prohibited conduct under the conditions described in this section.  
**Issue 91, February 2016**

**Comment [APowell5]:** New items are added to the list of prohibited student conduct to be thorough. Consult the Board attorney for advice on deleting or modifying any of the items in this section.  
**Issue 91, February 2016**

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. The use or possession of medical cannabis, even by a student for whom medical cannabis has been prescribed, is prohibited

**Comment [APowell6]:** Contact the board attorney for advice concerning whether to accommodate a student who is a registered qualifying patient.  
Issue 91, February 2016

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. Any substance inhaled, injected, smoked, consumed, or otherwise ingested or absorbed with the intention of causing a physiological or psychological change in the body, including without limitation, pure caffeine in tablet or powdered form.

**Comment [APowell7]:** This is a catch-all provision concerning substances that may pose a health risk or disruption.  
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g. "Look-alike" or counterfeit drugs, including a substance that is not prohibited by this policy, but one: (a) that a student believes to be, or represents to be, an illegal drug, controlled substance, or other substance that is prohibited by this policy; 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, controlled substance, or other substance that is prohibited by this policy.

**Comment [APowell8]:** The Powdered Caffeine Control and Education Act states: "No person may sell, offer for sale, give away, or provide free samples of powdered pure caffeine to any person under age 18 located within the State or to any person under age 18 making the purchase from within the State." A limited exception exists 410 ILCS 647/20, added by P.A. 99-50.  
Issue 91, February 2016

h. 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.

**Comment [APowell9]:** The prohibition concerning "look-alike" or counterfeit drugs is expanded to include any substance that a student believes to be, or represents to be, a substance prohibited by the policy, even if the substance is not prohibited. This edit will apply, for example, if a student represents a powdered vitamin to be pure caffeine – pure caffeine is prohibited on campus even though it is a legal substance.  
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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.

**Comment [APowell10]:** Contact the board attorney for advice concerning whether to accommodate a student who is a registered qualifying patient.  
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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); (c) it is used during the student's lunch period, or (d) it is needed in an emergency that threatens the safety of students, staff, or other individuals.

**Comment [APowell11]:** 105 ILCS 5/10-21.10 prohibits student possession of electronic paging devices, but State law leaves to local boards the discretion whether to prohibit student possession of cellular phones (105 ILCS 5/10-20.28).

6. Using or possessing a laser pointer unless under a staff member's direct supervision and in the context of instruction.

**OPTION 1:**  
To prohibit use or possession unless authorized by the Building Principal replace #5 with the following: Using or possessing a cellular telephone, electronic signaling device, two-way radio, video recording device, and/or other telecommunication device, unless authorized and approved by the Building Principal.  
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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, altering report cards, 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. Engaging in any sexual activity, including without limitation, offensive touching, sexual harassment, indecent exposure (including mooning), and sexual assault. This does not include the non-disruptive: (a) expression of gender or sexual orientation or preference, or (b) display of affection during non-instructional time.
11. Teen dating violence, as described in Board policy 7:185, *Teen Dating Violence Prohibited*.
12. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.
13. Entering school property or a school facility without proper authorization.
14. In the absence of a reasonable belief that an emergency exists, calling emergency responders (such as calling 911); signaling or setting off alarms or signals indicating the presence of an emergency; or indicating the presence of a bomb or explosive device on school grounds, school bus, or at any school activity.
15. Being absent without a recognized excuse; State law and School Board policy regarding truancy control will be used with chronic and habitual truant.
16. 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.
17. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia.
18. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, vandalism, and hazing.
19. 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.
20. Operating an unmanned aircraft system (UAS) or drone for any purpose on school grounds or at any school event unless granted permission by the Superintendent or designee.
21. 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 positive interventions and supports, 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.

**Disciplinary Measures**

School officials shall limit the number and duration of expulsions and out-of-school suspensions to the greatest extent practicable, and, where practicable and reasonable, shall consider forms of non-exclusionary discipline before using out-of-school suspensions or expulsions. School personnel shall not advise or encourage students to drop out voluntarily due to behavioral or academic difficulties. Potential disciplinary measures include, without limitation, any of the following:

1. Notifying parent(s)/guardian(s).
2. Disciplinary conference.
3. Withholding of privileges.
4. Temporary removal from the classroom.
5. Return of property or restitution for lost, stolen, or damaged property.
6. In-school suspension. The Building Principal or designee shall ensure that the student is properly supervised.
7. 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.
8. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs. The District will not provide transportation. School administration shall use this option only as an alternative to another disciplinary measure, giving the student and/or parent/guardian the choice.
9. Seizure of contraband; confiscation and temporary retention of personal property that was used to violate this policy or school disciplinary rules.
10. Suspension of bus riding privileges in accordance with Board policy 7:220, *Bus Conduct*.
11. Out-of-school suspension from school and all school activities in accordance with Board policy 7:200, *Suspension Procedures*. A student who has been suspended may also be restricted from being on school grounds and at school activities.
12. Expulsion from school and all school activities for a definite time period not to exceed 2 calendar years in accordance with Board policy 7:210, *Expulsion Procedures*. A student who

**Comment [APowell12]:** The practice of suspending or expelling a student based on the number of accumulated disciplinary infractions may be illegal under 105 ILCS 5/10-22.6, amended by P.A. 99-456, eff. 9-15-2016. This includes a system of assigning points to specific infractions and then tallying the points a student receives over a period of time to determine a disciplinary exclusion from school. Contact the board attorney before using such a system.  
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**Comment [APowell13]:** 105 ILCS 5/10-22.6(b-5), amended by P.A. 99-456, eff. 9-15-2016. According to subsection c-5, “[s]chool districts must make reasonable efforts to provide ongoing professional development to teachers, administrators, school board members, school resource officers, and staff on the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.” 105 ILCS 5/10-22.6(c-5), added by P.A. 99-456, eff. 9-15-2016.  
Issue 91, February 2016

**Comment [APowell14]:** A new provision prohibits school personnel from advising or encouraging students to drop out voluntarily due to behavioral or academic difficulties. 105 ILCS 5/10-22.6(h), added by P.A. 99-456.  
Issue 91, February 2016

**Comment [APowell15]:** The disciplinary measures have been re-ordered from least severe to most severe to be more reader-friendly. The disciplinary measures listed are a range of options that will not always be applicable in every case.  
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**Comment [APowell16]:** Restitution is permitted, but assessing a fine is prohibited by (105 ILCS 5/10-22.6(i), added by P.A. 99-456, eff. 9-15-2016).

**Comment [APowell17]:** The 5-day limit on in-school suspensions is removed to add flexibility to its use.  
Issue 91, February 2016

**Comment [APowell18]:** Consult the board attorney for advice concerning confiscated devices. There is no binding Ill. court decision regarding school personnel seizing and retaining a student’s property. The Supreme Court of Arkansas held that a teacher and principal did not violate a student’s state or federal rights when they confiscated and retained a student’s cell phone for 2 weeks for violating school rules on cell phones. *Koch v. Adams*, 361 S.W.3d 817 (Ark. 2010).  
Issue 91, February 2016

**Comment [APowell19]:** This sentence is optional.

**OPTION 2:** Restrict all suspended students from school grounds and school activities by replacing “may also be” with “shall also be.”  
Issue 91, February 2016

has been expelled ~~may also be~~ restricted from being on school grounds and at school activities.

13. ~~Transfer~~ to an alternative program if the student is expelled or otherwise qualifies for the transfer under State law. The transfer shall be in the manner provided in Article 13A or 13B of the School Code.
14. Notifying juvenile authorities or other law enforcement whenever the conduct involves criminal activity, including but not limited to, illegal drugs (controlled substances), "look-alikes," alcohol, or weapons or in other circumstances as authorized by the reciprocal reporting agreement between the District and local law enforcement agencies.

The above list of disciplinary measures is a range of options that will not always be applicable in every case. In some circumstances, it may not be possible to avoid suspending or expelling a student because behavioral interventions, other than a suspension and expulsion, will not be appropriate and available, and the only reasonable and practical way to resolve the threat and/or address the disruption is a suspension or expulsion.

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.

School staff members shall not use isolated time out and physical restraints other than as permitted in Section 10-20.33 of the School Code, State Board of Education rules, and procedures developed by the Superintendent. Neither isolated time out nor physical restraints shall be used to discipline or punish a student.

#### Weapons

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

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

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

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

**Comment [APowell20]:** This sentence is optional.

**OPTION 3:**  
Restrict all expelled students from school grounds and school activities by replacing "may also be" with "shall also be."  
**Issue 91, February 2016**

**Comment [APowell21]:** Contact the board attorney regarding the necessary due process procedures before imposing a disciplinary transfer to an alternative school. An Ill. appellate court stated incidentally in a decision, without establishing precedent, that placement in an alternative school is tantamount to an expulsion.  
**Issue 91, February 2016**

**Comment [APowell22]:** The new legislation explicitly forbids zero tolerance policies. It provides, however, an exception for zero tolerance policies established by state or federal law. This includes zero tolerance laws for bringing weapons to school. See the Update Memo for more information.  
**Issue 91, February 2016**

### Re-Engagement of Returning Students

The Superintendent or designee shall maintain a process to facilitate the re-engagement of students who are returning from an out-of-school suspension, expulsion, or an alternative school setting. The goal of re-engagement shall be to support the student's ability to be successful in school following a period of exclusionary discipline and shall include the opportunity for students who have been suspended to complete or make up work for equivalent academic credit.

**Comment [APowell23]:** Required by 105 ILCS 5/10-22.6(b-25), amended by P.A. 99-456, eff. 9-15-16. See 7:190-AP8, *Student Re-Engagement Guidelines*.  
**Issue 91, February 2016**

**Comment [APowell24]:** A goal for re-engagement is optional.  
**Issue 91, February 2016**

**Comment [APowell25]:** Schools must permit students who were suspended to make up work for equivalent academic credit (105 ILCS 5/10-22.6(b-30), amended by P.A. 99-456, eff. 9-15-2016).  
**Issue 91, February 2016**

### 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 [licensed] 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.



Incorporated  
by Reference:

7:190-AP4, (Use of Isolated Time Out and Physical Restraint)

LEGAL REF.:

Gun-Free Schools Act, 20 U.S.C. §7151 et seq.  
Pro-Children Act of 1994, 20 U.S.C. §6081.  
410 ILCS 130/, Compassionate Use of Medical Cannabis Pilot Program.  
410 ILCS 647/, Powdered Caffeine Control and Education Act.  
430 ILCS 66/, Firearm Concealed Carry Act.  
105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.36, 5/10-21.7, 5/10-21.10,  
5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/24-24, 5/26-12, 5/27-23.7, 5/31-3, and  
110/3.10.  
23 Ill.Admin.Code §1.280.

CROSS REF.:

2:150 (Committees), 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 (Prevention of and Response to Bullying, Intimidation, and Harassment ), 7:185 (Teen Dating Violence Prohibited), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:270 (Administering Medicines to Students), 7:310 (Restrictions on Publications), 8:30 (Visitors to and Conduct on School Property)

ADOPTED:

This policy is **rewritten** in response to legislation (P.A. 99-456).  
The footnotes are included to explain the details of the Act, but will  
be removed when the board adopts the policy.

February 2016

7:200

## Students

This policy becomes effective and replaces the policy on *Suspension Procedures* on the first student attendance day of the 2016-2017 school year.

### Suspension Procedures <sup>1</sup>

#### In-School Suspension <sup>2</sup>

The Director or designee is authorized to maintain an in-school suspension program. The program shall include, at a minimum, each of the following:

1. Before assigning a student to in-school suspension, the charges will be explained and the student will be given an opportunity to respond to the charges.
2. Students are supervised by licensed school personnel.
3. Students are given the opportunity to complete classroom work during the in-school suspension for equivalent academic credit.

#### Out-of-School Suspension

The Director or designee shall implement suspension procedures that provide, at a minimum, for each of the following: <sup>3</sup>

1. A conference during which the charges will be explained and the student will be given an opportunity to respond to the charges before he or she may be suspended.
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

**Comment [AKL1]:** Two new subheads are added: **In-School Suspension** and **Out-of-School Suspension**. In-school suspensions are not covered by statute and implementation of that subhead will require assistance of the board attorney to align the policy with the Cooperative's practices. Out-of-school suspensions are now governed by P.A. 99-456 (eff. 9-15-2016).  
**Issue 91, February 2016**

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

<sup>1</sup> State law requires Cooperatives to have a policy on student discipline (105 ILCS 5/10-20.14; 23 Ill.Admin.Code §1.280). State or federal law controls this policy's content. For information about administering student discipline, see the U.S. Dept. of Education's and the U.S. Dept. of Justice's 2014 jointly released school discipline package, *Guiding Principles*, at: [www2.ed.gov/policy/gen/guid/school-discipline/faq.pdf](http://www2.ed.gov/policy/gen/guid/school-discipline/faq.pdf).

Boards may authorize *by policy* the Director, building principal, assistant building principal, or dean of students to suspend students guilty of gross disobedience or misconduct from school, including all school functions (105 ILCS 5/10-22.6(b)). See 7:190, *Student Discipline*, for such an authorization.

<sup>2</sup> In-school suspensions are not covered by statute. Contact the board attorney for advice concerning amending this section.

<sup>3</sup> Suspension procedures are required by State law (105 ILCS 5/10-22.6). The right to attend school is a property right protected by the due process clause of the U.S. Constitution. *Goss v. Lopez*, 95 S.Ct. 729 (1975). Imposing a short deprivation of this property right by suspending a student for 10 or fewer days requires only minimal due process. The student must be generally informed of the reasons for the possible suspension, and be permitted to tell his/her version of the story. Making a decision to suspend before the hearing violates the basic due process requirement that the hearing be meaningful. *Sieck v. Oak Park-River Forest High School*, 807 F.Supp. 73 (N.D. Ill., E.D., 1992).

105 ILCS 5/10-22.6(b) allows a student who is suspended in excess of 20 school days to be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of the School Code. A student cannot be denied transfer because of the suspension, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program.

Consult the board attorney for assistance if a suspension will exceed 10 consecutive school days. Subsection 10-22.6(b) uses the phrase "is suspended in excess of 20 school days" even though a 20-consecutive day suspension should be treated as an expulsion. *Goss v. Lopez*, 95 S.Ct. 729 (1975). For further discussion, see ¶n 40 in policy 7:190, *Student Behavior*.

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threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.

3. An attempted phone call to the student's parent(s)/guardian(s).
4. A written notice of the suspension to the parent(s)/guardian(s) and the student, which shall:
  - a. Provide notice to the parent(s)/guardian(s) of their child's right to a review of the suspension;
  - b. Include information about an opportunity to make up work missed during the suspension for equivalent academic credit;<sup>5</sup>
  - c. Detail the specific act of gross disobedience or misconduct resulting in the decision to suspend;
  - d. Provide rationale or an explanation of how the chosen number of suspension days will address the threat or disruption posed by the student or his or her act of gross disobedience or misconduct; and
  - e. Depending upon the length of the out-of-school suspension, include the following applicable information:
    - i. For a suspension of 3 school days or less, an explanation that the student's continuing presence in school would either pose:
      - a) A threat to school safety, or
      - b) A disruption to other students' learning opportunities.
    - ii. For a suspension of 4 or more school days, an explanation:
      - a) That other appropriate and available behavioral and disciplinary interventions have been exhausted,
      - b) As to whether school officials attempted other interventions or determined that no other interventions were available for the student,<sup>8</sup> and

**Comment [AKL2]:** The most significant edits required by P.A. 99-456 (eff. 9-15-2016) were made to these notice provisions. These changes also correspond with 7:200-E1, *Short Term Out-of-School Suspension (1-3 Days) Reporting Form* and 7:200-E2, *Long Term Out-of-School Suspension (4-10 Days) Reporting Form*. Please access these documents using the Cooperative's PRESS Online service, and refer to the Update Memo for more detailed information concerning the difference between short-term and long-term suspensions.  
**Issue 91, February 2016**

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

<sup>4</sup> 105 ILCS 5/10-22.6, amended by P.A. 99-456, eff. 9-15-2016.

Consult the board attorney (1) about the specific documentation required in this portion of the notice, and (2) to ensure that 7:200-E1, *Short Term Out-of-School Suspension (1-3 Days) Reporting Form* and 7:200-E2, *Long Term Out-of-School Suspension (4-10 Days) Reporting Form* reflect the exact practices that the Cooperative will use to implement this requirement.

<sup>5</sup> Required by 105 ILCS 5/10-22.6(b-30).

<sup>6</sup> 105 ILCS 5/10-22.6(b-15), amended by P.A. 99-456, eff. 9-15-2016 explains that "threat to school safety or a disruption to other students' learning opportunities" shall be determined by the school board or its designee on a case-by-case basis. Consult the board attorney for specific advice regarding the application of these statutory terms in this context (see f/n 8, below).

<sup>7</sup> 105 ILCS 5/10-22.6(b-20), amended by P.A. 99-456, eff. 9-15-2016. School officials are granted the sole authority to determine on a case-by-case basis: (1) whether "appropriate and available behavioral and disciplinary interventions have been exhausted," and (2) whether "the student's continuing presence in school would either (i) pose a threat to the safety of other students, staff, or members of the school community, or (ii) substantially disrupt, impede, or interfere with the operation of the school." Consult the board attorney to request specific training for school officials to apply these statutory terms in this context (see f/n 5 above).

- c) That the student's continuing presence in school would either:
- i) Pose a threat to the safety of other students, staff, or members of the school community, or
  - ii) Substantially disrupt, impede, or interfere with the operation of the school.
- iii. For a suspension of 5 or more school days, the information listed in section 4.e.ii., above, along with documentation by the Director or designee determining what, if any, appropriate and available support services will be provided to the student during the length of his or her suspension. <sup>9</sup>
5. A summary of the notice, including the reason for the suspension and the suspension length, must be given to the Board by the Director or designee.
6. 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. <sup>10</sup> 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. Whenever there is evidence that mental illness may be the cause for the suspension, the Director or designee shall invite a representative from the Department of Human Services to consult with the Board. <sup>11</sup> After presentation of the evidence or receipt of the hearing officer's report, the Board shall take such action as it finds appropriate. If the suspension is upheld, the Board's written suspension decision shall specifically detail items (a) and (e) in number 4, above. <sup>12</sup>

LEGAL REF.: 105 ILCS 5/10-22.6.  
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.: 5:100 (Staff Development), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:220 (Bus Conduct)

Please compare this version with the Cooperative's current version of policy 7:200. Custom language from the current version may be added; however, before adding custom language that may alter any of the items in these lists, confer with the board attorney.

<sup>8</sup> While school officials have discretion to determine the length of suspensions, they must resolve threats, address disruptions, and minimize the length of student exclusions to the greatest extent practicable (105 ILCS 5/10-22.6(b-20), amended by P.A. 99-456, eff. 9-15-2016). Consult the board attorney about the practical implementation of documenting other appropriate and available interventions for the student.

Last, the law also requires school Cooperatives to make reasonable efforts to provide ongoing professional development to teachers, administrators, school board members, school resource officers, and staff on the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, and developmentally appropriate disciplinary methods that promote positive and healthy school climates (105 ILCS 5/10-22.6(c-5), amended by P.A. 99-456, eff. 9-15-2016).

<sup>9</sup> 105 ILCS 5/10-22.6(b-25), amended by P.A. 99-456, eff. 9-15-2016.

<sup>10</sup> A board may hear student disciplinary cases in a meeting closed to the public (5 ILCS 120/2(c)(9)).

<sup>11</sup> 105 ILCS 5/10-22.6(c).

<sup>12</sup> 105 ILCS 5/10-22.6(b), amended by P.A. 99-456, eff. 9-15-2016.

# DRAFT UPDATE

SPEED - SEJA #802

7:220

## Students

### Bus Conduct

All students must follow the District's *School Bus Safety* ~~Guidelines~~ Rules.

### School Bus Suspensions

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 School Board policy, 7:190, *Student Discipline Behavior*.
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 willful disobedience of a directive from a bus driver or other supervisor.
5. 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 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.

### Academic Credit for Missed Classes During School Bus Suspension

A student suspended from riding the bus who does not have alternate transportation to school shall have the opportunity to complete or make up work for equivalent academic credit. It shall be the responsibility of the student's parent or guardian to notify the school that the student does not have alternate transportation.

### 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.

**Comment [AKL1]:** The policy and Cross References are amended to comply with P.A. 99-456 (eff. 9-15-2016). Two new subheads are added: **School Bus Suspensions and Academic Credit for Missed Classes During School Bus Suspension.**

Issue 91, February 2016

**Comment [AKL2]:** Attorneys disagree whether P.A. 99-456, eff. 9-15-16, applies to school bus suspensions; this sentence applies the law to school bus suspensions. 7:200, *Suspension Procedure*, satisfies the procedural requirements in 105 ILCS 5/10-22.6(b). Delete this sentence only at the direction of the board attorney.

Issue 91, February 2016

**Comment [AKL3]:** The Academic Credit for Missed Classes During School Bus Suspension subhead and the first sentence of its text are required by P.A. 99-456 (eff. 9-15-2016).

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# ***DRAFT UPDATE***

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 Behavior), 7:200  
(Suspension Procedures), 7:230 (Misconduct by Students with Disabilities),  
7:340 (Student Records)

ADOPTED: ~~August 30, 2012~~

# DRAFT UPDATE

SPEED - SEJA #802

7:305

## Students

### Student Athlete Concussions and Head Injuries

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

1. Prepare for the full implementation of the Youth Sports Concussion Safety Act, that provides, without limitation, each of the following:
  - a. The Board must appoint or approve members of a Concussion Oversight Team for the District.
  - b. The Concussion Oversight Team shall establish each of the following based on peer-reviewed scientific evidence consistent with guidelines from the Centers for Disease Control and Prevention:
    - i. A return-to-play protocol governing a student's return to interscholastic athletics practice or competition following a force of impact believed to have caused a concussion. The Superintendent or designee shall supervise an athletic trainer or other person responsible for compliance with the return-to-play protocol.
    - ii. A return-to-learn protocol governing a student's return to the classroom following a force of impact believed to have caused a concussion. The Superintendent or designee shall supervise the person responsible for compliance with the return-to-learn protocol.
  - c. Each student and the student's parent/guardian shall be required to sign a concussion information receipt form each school year before participating in an interscholastic athletic activity.
  - d. A student shall be removed from an interscholastic athletic practice or competition immediately if any of the following individuals believes that the student sustained a concussion during the practice and/or competition: a coach, a physician, a game official, an athletic trainer, the student's parent/guardian, the student, or any other person deemed appropriate under the return-to-play protocol.
  - e. A student who was removed from interscholastic athletic practice or competition shall be allowed to return only after all statutory prerequisites are completed, including without limitation, the return-to-play and return-to-learn protocols developed by the Concussion Oversight Team. An athletic team coach or assistant coach may not authorize a student's return-to-play or return-to-learn.
  - f. The following individuals must complete concussion training as specified in the Youth Sports Concussion Safety Act: all coaches or assistant coaches (whether volunteer or a district employee) of interscholastic athletic activities; nurses who serve on the Concussion Oversight Team; athletic trainers; game officials of interscholastic athletic activities; and physicians who serve on the Concussion Oversight Team.
  - g. The Board shall approve school-specific emergency action plans for interscholastic athletic activities to address the serious injuries and acute medical conditions in which a student's condition may deteriorate rapidly.

**Comment [AKL1]:** Three Illinois statutes in the School Code govern student concussions:

(1) The Youth Sports Concussion Safety Act, 105 ILCS 5/22-80, added by P.A. 99-245; **if approved by the House and signed by the Governor, SB219 will extend the effective date to the 2016-2017 school year.**

(2) 105 ILCS 5/10-20.54

(3) 105 ILCS 25/1.15, added by P.A. 98-1011.

See the Issue 90 Update Memo for a description of these laws.

Most of the policy's revisions are due to the Youth Sports Concussion Safety Act. **Issue 90, October 2015**

**Comment [AKL2]:** The return-to-learn protocol governs a student's return to the classroom after a concussion, whether or not the concussion took place while the student was participating in an interscholastic athletic activity. Guidance from Lurie Children's Hospital explains that recovery from a concussion must be an individualized process because no two concussions are the same. See *A Guide for Teachers and School Professionals*, Lurie Children's Hospital.

**Issue 90, October 2015**

**Comment [AKL3]:** The form must be approved by the Illinois High School Association (IHSA). See [ihsa.org/Resources/SportsMedicine/ConcussionManagement/ConcussionResources.aspx](http://ihsa.org/Resources/SportsMedicine/ConcussionManagement/ConcussionResources.aspx), generally and specifically IHSA Concussion Protocols and IHSA Sports Medicine Acknowledgement & Consent Form (Concussion, PES, Asthma Medication).

**Issue 90, October 2015**

**Comment [AKL4]:** A template is available on the IHSA website under *Emergency Action Plan (EAP) Resources* at [ihsa.org/Resources/SportsMedicine/ConcussionManagement/ConcussionResources.aspx](http://ihsa.org/Resources/SportsMedicine/ConcussionManagement/ConcussionResources.aspx).

**Issue 90, October 2015**

# DRAFT UPDATE

~~1-2.~~ 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.

~~3.~~ Require that all high school coaching personnel, including the head and assistant coaches, and athletic directors obtain online concussion certification by completing online concussion awareness training in accordance with 105 ILCS 25/1.15.

~~4.~~ Require all student athletes to view the Illinois High School Association's video about concussions.

~~2-5.~~ 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.

~~3-6.~~ 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.

~~4-7.~~ 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 5/10-20.54.~~  
~~105 ILCS 5/22-80 added by P.A. 99-245, if approved by the House and signed by the Governor, SB219 will extend the effective date to the 2016-2017 school year.~~  
105 ILCS 25/1.15.

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

ADOPTED: August 29, 2013

**Please Note: The district does not have policy 7:300, Extracurricular Athletics, in its manual. Please consult with the board attorney to determine if the changes to 5:100, 7:305, and the addition of 7:300 are necessary for your district.**

**Comment [AKL5]:** Trailer legislation (P.A. 99-486) amended the Youth Sports Concussion Safety Act. 105 ILCS 5/22-80, added by P.A. 99-245. The trailer legislation (P.A. 99-486) delays the compliance deadline until the beginning of the 2016-2017 school year. The reference to the trailer bill's status from the Legal References is removed.

105 ILCS 5/10-20.54 was repealed by P.A. 99-245. It required each school board to adopt a policy regarding student athlete concussions and head injuries. School districts should be guided by it until they fully comply with the Youth Sports Concussion Safety Act.  
**Issue 91, February 2016**



## 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 Board policy 6:190, *Extracurricular and Co-Curricular Activities*.
2. A parent/guardian of the student 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 current certificate of physical fitness issued by a licensed physician, an advanced practice nurse, or a physician assistant. The ***Pre-Participation Physical Examination Form***, offered by the Illinois High School Association and the Illinois Elementary School Association, is the preferred certificate of physical fitness.
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 must agree to follow all conduct rules and the coaches' instructions.
6. The student and his or her parent(s)/guardian(s) must: (a) comply with the eligibility rules of, and complete any forms required by, any sponsoring association (such as, the Illinois Elementary School Association, the Illinois High School Association, or the Southern Illinois Junior High School Athletic Association), and (b) complete all forms required by the District including, without limitation, signing an acknowledgment of receiving information about the Board's concussion policy 7:305, *Student Athlete Concussions and Head Injuries*.

The Superintendent or designee (1) is authorized to impose additional requirements for a student to participate in extracurricular athletics, provided the requirement(s) comply with Board policy 7:10, *Equal Educational Opportunities*, and (2) shall maintain the necessary records to ensure student compliance with this policy.

LEGAL REF.: 105 ILCS 5/10-20.30, 5/10-20.54, 5/22-80, and 25/2.  
23 Ill.Admin.Code §1.530(b).

CROSS REF.: 4:100 (Insurance Management), 4:170 (Safety), 6:190 (Extracurricular and Co-Curricular Activities), 7:10 (Equal Educational Opportunities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:305 (Student Athlete Concussions and Head Injuries), 7:340 (Student Records)

## 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 students. The program shall:

1. Prepare for the full implementation of the Youth Sports Concussion Safety Act, that provides, without limitation, each of the following:
  - a. The Board must appoint or approve members of a Concussion Oversight Team for the District.
  - b. The Concussion Oversight Team shall establish each of the following based on peer-reviewed scientific evidence consistent with guidelines from the Centers for Disease Control and Prevention:
    - i. A return-to-play protocol governing a student's return to interscholastic athletics practice or competition following a force of impact believed to have caused a concussion. The Superintendent or designee shall supervise an athletic trainer or other person responsible for compliance with the return-to-play protocol.
    - ii. A return-to-learn protocol governing a student's return to the classroom after a student is believed to have experienced a concussion. The Superintendent or designee shall supervise the person responsible for compliance with the return-to-learn protocol.
  - c. Each student and the student's parent/guardian shall be required to sign a concussion information receipt form each school year before participating in an interscholastic athletic activity.
  - d. A student shall be removed from an interscholastic athletic practice or competition immediately if any of the following individuals believes that the student sustained a concussion during the practice and/or competition: a coach, a physician, a game official, an athletic trainer, the student's parent/guardian, the student, or any other person deemed appropriate under the return-to-play protocol.
  - e. A student who was removed from interscholastic athletic practice or competition shall be allowed to return only after all statutory prerequisites are completed, including without limitation, the return-to-play and return-to-learn protocols developed by the Concussion Oversight Team. An athletic team coach or assistant coach may not authorize a student's return-to-play or return-to-learn.
  - f. The following individuals must complete concussion training as specified in the Youth Sports Concussion Safety Act: all coaches or assistant coaches (whether volunteer or a district employee) of interscholastic athletic activities; nurses who serve on the Concussion Oversight Team; athletic trainers; game officials of interscholastic athletic activities; and physicians who serve on the Concussion Oversight Team.
  - g. The Board shall approve school-specific emergency action plans for interscholastic athletic activities to address the serious injuries and acute medical conditions in which a student's condition may deteriorate rapidly.

2. Require that all high school coaching personnel, including the head and assistant coaches, and athletic directors obtain online concussion certification by completing online concussion awareness training in accordance with 105 ILCS 25/1.15.
3. Require all student athletes to view the Illinois High School Association's video about concussions.

LEGAL REF.: 105 ILCS 5/22-80.  
105 ILCS 25/1.15.

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