

RECEIVED

St. Claire

Lebanon Community Unit School District #9

AUG 12 2009

7:20

Students**EDUCATOR AND
SCHOOL DEVELOPMENT****Harassment of Students Prohibited**

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, ancestry, age, religion, creed, physical or mental disability, status as homeless, or actual or potential marital or parental status, including pregnancy. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, or visual, that affects tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, causing psychological harm, threatening or causing physical harm, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

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. Examples of sexual harassment include touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities.

Students who believe they are victims of sexual harassment or have witnessed sexual harassment, are encouraged to discuss the matter with the student Nondiscrimination Coordinator, Building Principal, or a Complaint Manager. Students may choose to report to a person of the student's same sex. Complaints will be kept confidential to the extent possible given the need to investigate. Students who make good faith complaints will not be disciplined.

An allegation that one student was sexually harassed by another student shall be referred to the Building Principal, for appropriate action.

The Superintendent shall insert into this policy the names, addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers. At least one of these individuals will be female, and at least one will be male.

Nondiscrimination Coordinator:

Name Superintendent
 Address 200 W. Schuetz
Lebanon, IL 62254
 Telephone No. 618-537-4611

Complaint Managers:

Name	<u>HS Principal</u>	<u>SGS Principal</u>
Address	<u>200 W. Schuetz</u>	<u>110 W. Lookingglass Street</u>
	<u>Lebanon, IL 62254</u>	<u>Summerfield, IL 62289</u>
Telephone No.	<u>618-537-4611</u>	<u>618-934-3441</u>

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

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

LEGAL REF.: Title IX of the Educational Amendments, 20 U.S.C. §1681 et seq.
 34 C.F.R. Part 106.
 105 ILCS 5/10-22.5, 5/27-1, and 5/27-23.7.
 775 ILCS 5/1-101 et seq.
 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 (Sexual Harassment), 7:10 (Equal Educational Opportunities), 7:190 (Student Discipline)

ADOPTED: November 12, 2008

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

1. Fully implements and enforces each of the following Board policies:
 - a. 7:190, *Student Discipline*. This policy prohibits students from engaging in hazing 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, bullying, hazing, or other comparable conduct.
 - b. 7:310, *Restrictions on Publications and Written or Electronic Material*. This policy prohibits students from: (i) accessing and/or distributing at school any written 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 or electronic material, including Internet material and blogs, that causes substantial disruption to school operations or interferes with the rights of other students or staff members.
 - c. 7:20, *Harassment of Students Prohibited*. This policy prohibits any person from harassing or intimidating a student based upon a student's sex, color, race, religion, creed, ancestry, national origin, physical or mental disability, sexual orientation, or other protected group status.

Full implementation of the above policies includes: (a) conducting a prompt and thorough investigation of alleged incidents of bullying, intimidation, or harassing behavior, (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.

LEGAL REF.: 405 ILS 49/1 et seq.
105 ILCS 5/10-20.14, 5/24-24, and 5/27-23.7.
23 Ill.Admin.Code §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), 7:310 (Restrictions on Publications and Written or Electronic Material)

ADOPTED: December 13, 2007

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 not administered under a physician's care and supervision.
 - c. Any prescription drug when not prescribed for the student by a licensed physician or when used in a manner inconsistent with the prescription or prescribing physician's instructions.
 - d. Any inhalant, regardless of whether it contains an illegal drug or controlled substance: (a) that a student believes is, or represents to be capable of, causing intoxication, hallucination, excitement, or dulling of the brain or nervous system; or (b) about which the student engaged in behavior that would lead a reasonable person to believe that the student intended the inhalant to cause intoxication, hallucination, excitement, or dulling of the brain or nervous system. The prohibition in this section does not apply to a student's use of asthma or other legally prescribed inhalant medications.
 - e. "Look-alike" or counterfeit drugs, including a substance not containing an illegal drug or controlled substance, but one: (a) that a student believes to be, or represents to be, an illegal drug or controlled substance; or (b) about which a student engaged in behavior that would lead a reasonable person to believe that the student expressly or impliedly represented to be an illegal drug or controlled substance.
 - f. Drug paraphernalia, including devices that are or can be used to: (a) ingest, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances.

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

4. Using, possessing, controlling, or transferring a weapon in violation of the "weapons" section of this policy.
5. Using or possessing an electronic paging device or using a cellular telephone, video recording device, personal digital assistants (PDAs), 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, cheat, signal others, or otherwise violate student conduct rules. Unless otherwise banned under this policy or by the Building Principal, all electronic devices must be kept off and out of sight during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student's IEP; or (c) it is needed in an emergency that threatens the safety of students, staff, or other individuals.
6. Using or possessing a laser pointer unless under a staff member's direct supervision and in the context of instruction.

7. Disobeying rules of student conduct or directives from staff members or school officials. Examples of disobeying staff directives include refusing a District staff member's request to stop, present school identification, or submit to a search.
8. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, and wrongfully obtaining test copies or scores.
9. Engaging in hazing or any kind of bullying or 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, hazing, or other comparable conduct.
10. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.
11. Being absent without a recognized excuse; State law and Board policy on truancy control will be used with chronic and habitual truants.
12. Being involved with any public school fraternity, sorority, or secret society, by:
 - Being a member;
 - Promising to join;
 - Pledging to become a member; or
 - Soliciting any other person to join, promise to join, or be pledged to become a member.
13. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia.
14. Violating any criminal law, such as assault and battery, arson, theft, gambling, and hazing.
15. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.

For purposes of this policy, the term "possession" includes having control, custody, or care, currently or in the past, of an object or substance, including situations where the item is: (a) on the student's person; (b) contained in another item belonging to, or under the control of, the student, such as in the student's clothing, backpack, or automobile; (c) in a school's student locker, desk, or other school property; or (d) at any location on school property or at a school-sponsored event.

Efforts, including the use of early intervention and progressive discipline, shall be made to deter students, while at school or a school-related event, from engaging in aggressive behavior that may reasonably produce physical or physiological harm to someone else. The Superintendent or designee shall ensure that the parent/guardian of a student who engages in aggressive behavior is notified of the incident. The failure to provide such notification does not limit the Board's authority to impose discipline, including suspension or expulsion, for such behavior.

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

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

1. On, or within sight of, school grounds before, during, or after school hours or at any other time;

2. Off school grounds at a school-sponsored activity, or event, or any activity or event which bears a reasonable relationship to school;
3. Traveling to or from school or a school activity, function, or event; or
4. Anywhere, if the conduct interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.

Disciplinary Measures

Disciplinary measures may include:

1. Disciplinary conference.
2. Withholding of privileges.
3. Seizure of contraband.
4. Suspension from school and all school activities for up to 10 days, provided that appropriate procedures are followed. A suspended student is prohibited from being on school grounds.
5. Suspension of bus riding privileges, provided that appropriate procedures are followed.
6. Expulsion from school and all school-sponsored activities and events for a definite time period not to exceed 2 calendar years, provided that the appropriate procedures are followed. Unless the Building Principal determines otherwise, a student expelled anytime during a semester will be denied credit for the semester regardless of whether the student had completed sufficient course work to earn a passing grade before being expelled. 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. Detention or Saturday school provided the student's parent(s)/guardian(s) have been notified. If transportation arrangements cannot be agreed upon, an alternative disciplinary measure must be used. The student must be supervised by the detaining teacher or the Building Principal or designee.
12. Community service with local public and nonprofit agencies that enhance community efforts to meet human, educational, environmental, or public safety needs. The District will not provide transportation. School administration shall use this option only as an alternative to another disciplinary measure giving the student and/or parent(s)/guardian(s) the choice.

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

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

Weapons

A student who uses, possesses, controls, or transfers a weapon, or any other object that can reasonably be considered, or looks like, a weapon, shall be expelled for at least one calendar year, but no more than 2 calendar years. The Superintendent may modify the expulsion period and the Board may modify the Superintendent's determination, on a case-by-case basis. A "weapon" means

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

Required Notices

A school staff member shall immediately notify the Building Principal in the event that he or she: (1) observes any person in possession of a firearm on or around school grounds; however, such action may be delayed if immediate notice would endanger students under his or her supervision, (2) observes or has reason to suspect that any person on school grounds is or was involved in a drug-related incident, or (3) observes a battery committed against any staff member. Upon receiving such a report, the Building Principal or designee shall immediately notify the local law enforcement agency, State Police, and any involved student's parent(s)/guardian(s). "School grounds" includes modes of transportation to school activities and any public way within 1000 feet of the school, as well as school property itself.

Delegation of Authority

Each teacher, and any other school personnel when students are under his or her charge, is authorized to impose any disciplinary measure, other than suspension, expulsion, corporal punishment or in-school suspension, which is appropriate and in accordance with the policies and rules on student discipline. Teachers, other certificated educational employees, and other persons providing a related service for or with respect to a student, may use reasonable force as needed to maintain safety for other students, school personnel, or other persons, or for the purpose of self-defense or defense of property. Teachers may temporarily remove students from a classroom for disruptive behavior.

The Superintendent, Building Principal, 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 of Education may suspend a student from riding the bus in excess of 10 days for safety reasons.

Student Handbook

The Superintendent, with input from the parent-teacher advisory committee, shall prepare disciplinary rules implementing the District's disciplinary policies. These disciplinary rules shall be presented annually to the Board for its review and approval.

A student handbook, including the District disciplinary policies and rules, shall be distributed to the students' parents/guardians within 15 days of the beginning of the school year or a student's enrollment.

LEGAL REF.: Gun-Free Schools Act, 20 U.S.C. §7151 et seq.
Pro-Children Act of 1994, 20 U.S.C. §6081.
105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.36, 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), 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), 8:30 (Conduct on
School Property)

ADOPTED: May 14, 2008

STARK COUNTY
COMMUNITY UNIT SCHOOL
DISTRICT No. 100

Stark

RECEIVED

AUG 18 2009

EDUCATOR AND
SCHOOL DEVELOPMENT

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Michael Domico
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Toulon, IL 61483
(309) 286-3451

Renee Wallace
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Stark County Elementary
300 Van Buren
Wyoming, IL 61491
(309) 695-5181

Board of Education

Martin Cantwell
President

Keith Knobloch
Vice President

W. David Turner
Secretary

Robert Groter
Brian Rewerts
Elizabeth Rumbold
Ronald Turnbull

CUSD #100
Superintendent's Memo

To: Henri Fonville
From: Jerry Klooster
Date: 8/19/2009
Re: **Stark County #100 Bullying Policy**

MESSAGE:

Henri,

Please find the enclosed policy which was adopted in January of 2008 and will be renewed in January of 2010.

Jerry Klooster
Superintendent

Students

Preventing Bullying, Intimidation, and Harassment

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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.
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ADOPTED: JAN. 21, 2008

Stark

Bradford CUSD #1

7:20

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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
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Nondiscrimination Coordinator:

Name

Address

Telephone

Complaint Managers:

Name

Address

Telephone

Name

Address

Telephone

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LEGAL REF.: Title IX of the Educational Amendments, 20 U.S.C. §1681 et seq.
34 C.F.R. Part 106.
105 ILCS 5/10-22.5, 5/27-1, and 5/27-23.7.
23 Ill.Admin.Code §200.10 et seq.
Davis v. Monroe County Board of Education, 119 S.Ct. 1661 (1999).
Franklin v. Gwinnett Co. Public Schools, 112 S.Ct. 1028 (1992).
Gebser v. Lago Vista Independent School District, 118 S.Ct. 1989 (1998).
West v. Derby Unified School District No. 260, 206 F.3d 1358 (10th Cir., 2000).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:20 (Sexual Harassment), 7:10 (Equal Educational Opportunities); 7:190 (Student Discipline)

Approved March 2008

Actor	Action
	<ol style="list-style-type: none">2. Following Board policy 2:260, <i>Uniform Grievance Procedure</i>;3. Notifying a student's parents/guardians that they may attend any investigatory meetings in which their child is present;4. Keeping the complaining parents/guardians informed of any investigation's progress; and5. Keeping confidential all information about an investigation and the statements of students and other witnesses. The Superintendent shall be kept informed of an investigation's progress.
All District Staff Members	Immediately report to the Illinois Department of Children and Family Services any situation that provides you with reasonable cause to believe that a child may be an abused child or a neglected child. Promptly notify the Superintendent and Building Principal that you made a report.

Approved March 2008

BRADFORD CUSD#1
Phone: 309-897-4611
Fax: 309-897-4451

Fax

To: Henri Fonville From: Bradford CUSD #1
Fax: 217-557-8392 Pages: 4
Phone: _____ Date: 7/10/09
Re: _____ CC: ROE 217-936-1111
☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

Bully Poling

Bradford CUSD #1
115 High ST

BRADFORD, IL

61421

Shelby

Students

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FEB 28 2008

Preventing Bullying, Intimidation, and Harassment

Accountability

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

1. Fully implements and enforces each of the following Board policies:
 - a. 7:190, *Student Discipline*. This policy prohibits students from engaging in hazing 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, bullying, hazing, or other comparable conduct.
 - b. 7:310, *Restrictions on Publications and Written or Electronic Material*. This policy prohibits students from: (i) accessing and/or distributing at school any written 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 or electronic material, including Internet material and blogs, that causes substantial disruption to school operations or interferes with the rights of other students or staff members.
 - c. 7:20, *Harassment of Students Prohibited*. This policy prohibits any person from harassing or intimidating a student based upon a student's sex, color, race, religion, creed, ancestry, national origin, physical or mental disability, sexual orientation, or other protected group status.

Full implementation of the above policies includes: (a) conducting a prompt and thorough investigation of alleged incidents of bullying, intimidation, or harassing behavior, (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.

LEGAL REF.: 405 ILS 49/1 et seq.
105 ILCS 5/10-20.14, 5/24-24, and 5/27-23.7.
23 Ill.Admin.Code §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), 7:310 (Restrictions on Publications and Written or Electronic Material)

Stewardson-Strasburg
CUSD 5A
(Shelby)

October 2007

Approved at the 01-17-08 SSCUSD 5A Board Meeting

7:20

StudentsHarassment of Students Prohibited

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

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. Examples of sexual harassment include touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities.

Students who believe they are victims of sexual harassment or have witnessed sexual harassment, are encouraged to discuss the matter with the student Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager. Students may choose to report to a person of the student's same sex. Complaints will be kept confidential to the extent possible given the need to investigate. Students who make good faith complaints will not be disciplined.

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

7:20

Page 1 of 2

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EDUCATOR AND
SCHOOL DEVELOPMENT

The Superintendent shall insert into this policy the names, addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers. At least one of these individuals will be female, and at least one will be male.

Nondiscrimination Coordinator:

Name

Address

Telephone

Complaint Managers:

Name

Address

Telephone

Name

Address

Telephone

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

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

LEGAL REF.: Title IX of the Educational Amendments, 20 U.S.C. §1681 et seq.
34 C.F.R. Part 106.
105 ILCS 5/10-22.5, 5/27-1, and 5/27-23.7.
23 Ill.Admin.Code §200.10 et seq.
Davis v. Monroe County Board of Education, 119 S.Ct. 1661 (1999).
Franklin v. Gwinnett Co. Public Schools, 112 S.Ct. 1028 (1992).
Gebser v. Lago Vista Independent School District, 118 S.Ct. 1989 (1998).
West v. Derby Unified School District No. 260, 206 F.3d 1358 (10th Cir., 2000).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:20 (Sexual Harassment), 7:10 (Equal Educational Opportunities); 7:190 (Student Discipline)

February 2009

7:190

Students

Student Discipline ¹

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
2. Using, possessing, distributing, purchasing, or selling alcoholic beverages. ³ 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). ⁴
 - b. Any anabolic steroid not administered under a physician's care and supervision. ⁵
 - c. Any prescription drug when not prescribed for the student by a licensed physician or when used in a manner inconsistent with the prescription or prescribing physician's instructions.
 - d. Any inhalant, regardless of whether it contains an illegal drug or controlled substance: (a) that a student believes is, or represents to be capable of, causing intoxication, hallucination, excitement, or dulling of the brain or nervous system; or (b) about which the student engaged in behavior that would lead a reasonable person to believe that the student intended the inhalant to cause intoxication, hallucination, excitement, or dulling of the brain or nervous system. The prohibition in this section does not apply to a student's use of asthma or other legally prescribed inhalant medications.
 - e. "Look-alike" or counterfeit drugs, including a substance not containing an illegal drug or controlled substance, but one: (a) that a student believes to be, or represents to be, an illegal drug or controlled substance; or (b) about which a student engaged in behavior that would lead a reasonable person to believe that the student expressly or impliedly represented to be an illegal drug or controlled substance. ⁶

¹ All districts must have a policy on student discipline, including corporal punishment (105 ILCS 5/10-20.14; 23 Ill.Admin.Code §1.280). Teachers and other certificated employees must maintain discipline (105 ILCS 5/24-24).

Given the unique concerns facing school officials, school disciplinary codes are not required to be drafted as narrowly or with the same precisions as criminal statutes. *Bethel School Dist. v. Fraser*, 106 S.Ct. 3159 (1986).

² Federal law prohibits smoking within schools by anyone (Pro-Children Act of 1994, 20 U.S.C. §6081). Districts that fail to comply risk a civil penalty of up to \$1,000 per violation per day. See policy 8:30, *Visitors to and Conduct on School Property*, for more information.

³ Alcoholic beverages are defined in 235 ILCS 5/1-3.01 to 3.05.

⁴ Controlled substance is defined in 720 ILCS 570/102; cannabis is defined in 720 ILCS 550/3. Either spelling, "marihuana" or "marijuana," is correct; however, "marijuana" is more common.

⁵ Anabolic steroid is defined in 720 ILCS 570/102.

⁶ "Look-alike" and counterfeit substances are defined in 720 ILCS 570/102. "Look-alike" drugs should be defined; an unpublished Ill. Court of Appeals decision in 2000 found a board policy prohibiting possession of "look-alikes" to have vagueness problems.

- f. Drug paraphernalia, including devices that are or can be used to: (a) ingest, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances. ⁷

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

4. Using, possessing, controlling, or transferring a weapon in violation of the "weapons" section of this policy.
5. Using or possessing an electronic paging device. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules. Unless otherwise banned under this policy or by the Building Principal, all electronic devices must be kept 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. ⁸
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.

⁷ Drug paraphernalia is defined in 720 ILCS 600/2.

⁸ 105 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). Camera phones are now common and their misuse could seriously invade a student's privacy. A board wanting a sweeping prohibition may use the following alternative for item 5:

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.

Operating transmitters designed to jam or block wireless communications violates the federal Communications Act of 1934 (47 U.S.C. §§301, 302a, and 333). Fines for a first offense can range as high as \$11,000 for each violation or imprisonment for up to one year, and the device may also be seized and forfeited to the U.S. government. 47 U.S.C. §§501-510.

Making a video recording or live video transmission of another person without their consent in a restroom, locker room, or changing room is a felony (720 ILCS 5/26-4, added by P.A. 95-265).

9. Engaging in hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to another or any urging of other students to engage in such conduct. 9 Prohibited conduct includes any use of violence, force, noise, coercion, threats, intimidation, fear, harassment, hazing, or other comparable conduct. 10
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 School Board policy regarding truancy control will be used with chronic and habitual truants. 11
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. 12
13. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia. 13
14. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, and hazing.

9 105 ILCS 5/10-20.14 requires boards, in consultation with their parent-teacher advisory committees and other community-based organizations, to include provisions in their student discipline policy to address aggressive behavior, including bullying. Implementing procedures must include a method for informing parents/guardians when their child or ward engaged in aggressive behavior as well as early intervention procedures based upon available community and district resources. See 7:190-E, *Aggressive Behavior Reporting Letter and Form*.

A person commits a felony hate crime when, by reason of the actual or perceived race, color, creed, religion, ancestry, sexual orientation, disability, or national origin of another person, he or she commits assault or battery (720 ILCS 5/12-7.1). The penalty is heightened when the offense is committed in a school or administrative facility.

10 All districts must have a policy on bullying (105 ILCS 5/27-23.7(d), as amended by P.A. 95-349). See policy 7:180, *Preventing Bullying, Intimidation, and Harassment*.

A trial court's order enjoining a student's expulsion for committing aggressive behavior was overturned in Wilson ex rel. Geiger v. Hinsdale Elementary School Dist. 181, 810 N.E.2d 637 (Ill.App.2, 2004). The board expelled an 11-year-old student for bringing 2 CDs to school containing a song entitled, "Gonna Kill Mrs. Cox's Baby." Mrs. Cox was the student's pregnant science teacher. The student was expelled for the remainder of the school year for violating the district's policy prohibiting aggressive behavior. The Court of Appeals reversed the trial court's temporary restraining order (that had stopped the penalty's imposition until after a trial) finding that the student had violated school rules subjecting him to exclusion and that the penalty was not unreasonable, arbitrary, capricious, or oppressive. The district's policy prohibiting aggressive behavior was substantially identical to the PRESS policy.

See also Gendelman v. Glenbrook North High School and Northfield Township School District 225, 2003 WL 21209880 (N.D.Ill., 2003)(student suspensions for hazing were upheld).

11 105 ILCS 5/26-2a, 5/26-9, and 5/26-12. See policy 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*, and 7:70, *Attendance and Truancy*.

12 State law requires schools to suspend or expel any student who engages in this activity (105 ILCS 5/31-3).

13 See Kelly v. Board of Educ. of McHenry Community High School Dist. 156, 2007 WL 114300 (N.D.Ill., 2007)(upheld student's expulsion for drawing gang symbols while at school; testimony that the danger posed by gang signs and the presence of gangs at school supported the board's insistence on strict enforcement of board policy prohibiting gang related behavior and made expulsion a proper remedy). Significantly, the General Assembly recognized in 105 ILCS 5/27-23.7(a), as amended by P.A. 95-198, that "[g]iven the higher rates of criminal offending among gang members, as well as the availability of increasingly lethal weapons, the level of criminal activity by gang members has taken on new importance for law enforcement agencies, schools, the community, and prevention efforts."

740 ILCS 147/15 *et seq.* allows a school district to bring a civil suit against a gang, gang officers, or gang members for losses it suffers due to their criminal activity.

15. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property. 14

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. 15

Efforts, including the use of early intervention and progressive discipline, shall be made to deter students, while at school or a school-related event, from engaging in aggressive behavior that may reasonably produce physical or physiological harm to someone else. The Superintendent or designee shall ensure that the parent/guardian of a student who engages in aggressive behavior is notified of the incident. 16 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. 17

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: 18

14 A catchall provision, e.g., this one, gives staff members authority to respond to unforeseen situations.

If the board adopts a mandatory uniform policy (see 7:165, *School Uniforms*), add the following item to the list as number 16: "Failing to comply with the mandatory uniform policy, but only after repeated attempts to secure compliance, such as conferences with parents/guardians, have been unsuccessful."

15 "Possession" should be defined to avoid vagueness problems.

16 See footnote 9.

17 Mandated by 105 ILCS 5/10-20.36, as amended by P.A. 95-331.

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. 19

18 A school's power over students does not cease when students leave the campus. However, Illinois statutes do not describe when a school may suspend or expel a student. Thus, board policy must provide a jurisdictional statement telling students and staff the circumstances under which the district will take disciplinary action. Rules taking jurisdiction of off-campus misconduct generally survive the test of reasonableness if they are limited to situations having a direct nexus to the school. Jurisdictional rules in board policy should generally be as broad as possible in order to give staff members authority to respond to unforeseen situations. However, a countervailing interest concerns liability for off-campus student injuries, i.e., the greater the jurisdiction a district is willing to impose, the greater the scope of liability it may be assuming. Ultimately, a decision whether to discipline for off-campus misconduct requires a factual inquiry to determine the degree of nexus and impact on the school. There are many decisions on disciplining a student for off-campus misconduct; for examples, see: Morse v. Frederick, 127 S.Ct. 2618 (2007) (held school's compelling interest in stopping student drug abuse allows schools to prohibit student speech that maybe reasonably regarded as promoting illegal drug use); Boucher v. School District of Greenfield, 134 F.3d 821 (7th Cir., 1998) (upheld expulsion for off-campus speech – an article explaining how to hack into the school's computers); Giles v. Brookville Area School District, 669 A.2d 1079 (Pa. Commw. 1995) (upheld expulsion for selling marijuana to another student off-campus where negotiations took place on campus); I.S. v. Bethlehem Area School District, 807 A.2d 847 (Pa. 2002) (suspension upheld for posting on a private web site derogatory, offensive, and threatening statements directed toward a teacher); Wisniewski v. Board of Education of Weedsport Cent. School District, 494 F.3d 34 (2nd Cir. 2007), (upheld suspension for off-campus speech - an instant message icon illustration a pistol firing a bullet at teacher's head with words "kill Mr. Vandermolen."); Doe v. Pulaski County Special School, 306 F.3d 616 (8th Cir., 2002) (vacated holding in Doe v. Pulaski County Special School, 263 F.3d 833 (8th Cir., 2001), holding that the school board did not violate the student's First Amendment rights when it expelled him for writing a letter at home referring to killing his girlfriend).

Note that the law is different regarding participants in athletics and extracurricular activities. See policy 7:240, *Conduct Code for Participants in Extracurricular Activities*.

19 Suspending or expelling a student for off-campus misconduct is problematic when the school's jurisdiction is premised on nothing more than "the student's presence at school may reasonably be considered to create an interference with school purposes or an educational function." If possible, other grounds for jurisdiction should be added. The factual context will determine jurisdiction. Even when there is no other jurisdictional ground, if the nature of the conduct is particularly troublesome, a detrimental impact on the school can be inferred. See Doe v. Superintendent of Schools of Stoughton, 767 N.E.2d 1054 (Mass., 2002) (suspension for off-campus commission of a felony was upheld).

Disciplinary Measures 20

Disciplinary measures may include: 21

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. 22 A suspended student is prohibited from being on school grounds.
5. Suspension of bus riding privileges, provided that appropriate procedures are followed. 23
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. 24 An expelled student is prohibited from being on school grounds. 25
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. 26~~

20 Aside from procedural due process protection, students have a constitutional substantive due process right. This right protects them from an abuse of government power which "shocks the conscience." While the scope of substantive due process is very limited, it is available to students who believe they were subject to arbitrary and excessive discipline. Generally, however, school officials need not fear being found guilty of a substantive due process violation. Federal courts are loath to second-guess school officials.

An example of the judicial reluctance to interfere is *Tun v. Whitticker*, 398 F.3d 899 (7th Cir., 2005). A student named Brandon brought a substantive due process claim against the school for expelling him without evidence of wrongdoing. Brandon and three others were expelled for allowing nude pictures of themselves to be taken in the school shower. After Brandon appealed using the school's procedures, the expulsion was rescinded and his record expunged of any reference to the incident. Brandon, however, brought a federal court action alleging that his substantive due process rights were violated. While the Court believed that school officials overacted to boys "just horsing around," it did not believe the expulsion amounted to a substantive due process violation - it fell short of the required "shocks the conscience" standard.

21 Most school attorneys advise against using a grade reduction as a disciplinary measure. One case upheld the application of such a policy. *Knight v. Board of Education*, 348 N.E.2d 299 (Ill.App. 4, 1976). Another case, however, found unconstitutional, a grade reduction policy requiring 9-week grades to be reduced 4% for each day of a suspension. *Smith v. School City of Hobart*, 811 F.Supp. 391 (N.D.Ind., 1993).

22 105 ILCS 5/10-22.6. The next sentence is optional.

23 *Id.*

24 105 ILCS 5/10-22.6. The Indiana Supreme Court upheld a policy to deny semester credit to a student expelled anytime during the semester. *South Gibson School Board v. Sollman*, 768 N.E.2d 437 (Ind. 2002). An optional provision, such as the following, should first be discussed with the board's attorney before adoption:

Unless the Building Principal determines otherwise, a student expelled anytime during a semester will be denied credit for the semester regardless of whether the student had completed sufficient course work to earn a passing grade before being expelled.

25 Optional (105 ILCS 5/10-22.6).

26 State law does not cover in-school suspensions. Generally, an educational program must be included in an in-school suspension; otherwise, it may become a regular suspension with procedural requirements.

11. After-school study or Saturday study²⁷ 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.
12. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs. ²⁸ 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.

A student who is subject to suspension or expulsion may be eligible for transfer to an alternative school program. ²⁹

Corporal punishment shall not be used. Corporal punishment is defined as slapping, paddling, or prolonged maintenance of students in physically painful positions, or intentional infliction of bodily harm. ~~Corporal punishment does not include reasonable force as needed to maintain safety for students, staff, or other persons, or for the purpose of self-defense or defense of property.~~³⁰

Weapons

A student who uses, possesses, controls, or transfers a weapon, or any other object that can reasonably be considered, or looks like, a weapon, shall be expelled for at least one calendar year, but no more than 2 calendar years. ³¹ The Superintendent may modify the expulsion period and the Board may modify the Superintendent's determination, on a case-by-case basis. ³² A "weapon" means possession, use, control, or transfer of: (1) any gun, rifle, shotgun, a weapon as defined by Section 921 of Title 18, United States Code, firearm as defined in Section 1.1 of the Firearm Owners Identification Act, or use of a weapon as defined in Section 24-1 of the Criminal Code; (2) any other object if used or attempted to be used to cause bodily harm, including but not limited to, knives, brass knuckles, billy clubs; or (3) "look-alikes" of any weapon as defined above. ³³ Any item, such as a baseball bat, pipe, bottle, lock, stick, pencil, and pen, is considered to be a weapon if used or attempted to be used to cause bodily harm. ³⁴ 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,

²⁷ Teachers may not be required to teach on Saturdays (105 ILCS 5/24-2).

²⁸ Optional. See Herndon v. Chapel Hill-Carrboro City Bd., 89 F.3d 174 (C.A. 4, 1996)(upheld policy requiring students to complete community service in order to graduate).

²⁹ 105 ILCS 5/10-22.6.

³⁰ This paragraph paraphrases 105 ILCS 5/24-24.

³¹ Boards must expel a student for at least one calendar year who brings a firearm to school (105 ILCS 5/10-22.6; see also the Gun-Free Schools Act, 20 U.S.C. §7151 et seq.). Boards may expel a student for a definite time period up to 2 calendar years (Id.). Districts must report their school-by-school, weapons-related expulsions to the State Board of Education (20 U.S.C. §7151 et seq.).

³² Federal law allows the "chief administering officer" to modify expulsions (Gun-Free Schools Act, 20 U.S.C. §7151 et seq.). 105 ILCS 5/10-22.6 allows the superintendent to modify the expulsion duration and the board to modify the superintendent's determination. Analyzing the student's circumstances on a case-by-case basis may avoid a judicial finding that an expulsion is too severe. See Washington v. Smith, 618 N.E.2d 561 (Ill.App., 1993).

³³ 105 ILCS 5/10-22.6.

³⁴ While State law does not specify these examples, they are permissible according to 105 ILCS 5/10-22.6. When preparing for a due process hearing, a building principal should have a copy of any State or federal law - not just The School Code - that they will refer to.

9. Students shall be provided parenting education in grades 6-12. ¹⁰
10. Students shall be provided safety instruction in all grades. Students in grades 9-11 will receive cardiopulmonary resuscitation instruction. ¹¹
11. Students in grades 6-12 shall receive instruction for decreasing self-destructive behavior, including methods for increasing life-coping skills, self-esteem, and parenting skills of adolescents and teenagers as a deterrent to their acceptance or practice of self-destructive actions. ¹²
12. All students shall receive age-appropriate instruction on motor vehicle safety and litter control. ¹³
13. Students in grades 9 or 10 shall receive instruction on donations and transplants of organs/tissue and blood. ¹⁴

No student shall be required to take or participate in any class or course on AIDS, family life instruction, sex abuse, or organ/tissue transplantation, if his or her parent/guardian submits a written objection to the Building Principal. Parents/guardians of students in grades kindergarten through 8 shall be given at least 5 days written notice before instruction on avoiding sex abuse begins. Refusal to take or participate in any such course or program shall not be reason for disciplinary action or academic penalty. ¹⁵

Parents/guardians shall be provided the opportunity to preview all print and non-print materials used for instructional purposes. ¹⁶

LEGAL REF.: 105 ILCS 5/27-9.1, 5/27-9.2, 5/27-13.2, 5/27-17, 5/27-23, 5/27-23.1, 5/27-23.2, 5/27-23.3, 5/27-23.5, 5/27-26, and 110/3.

⁹ Optional according to 105 ILCS 5/27-13.2.

¹⁰ Course requirements are mandated by 105 ILCS 5/27-23.1, but offering the course is optional.

¹¹ Optional according to 105 ILCS 5/27-17 and 110/3.

¹² Optional according to by 105 ILCS 5/27-23.2; school districts may incorporate the ISBE's model curriculum into their curriculum.

¹³ Required by 105 ILCS 5/27-23.

¹⁴ Optional according to 105 ILCS 5/27-23.5.

¹⁵ Required by 105 ILCS 5/27-9.1, 5/27-13.2, and 5/27-23.5.

¹⁶ Id.

martial arts, and similar programs, whether or not school-sponsored, provided the item is not equipped, nor intended, to do bodily harm. 35

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. 36 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. 37 "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. 38 Teachers may temporarily remove students from a classroom for disruptive behavior. 39~~

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. 40 The Board may suspend a student from riding the bus in excess of 10 school days for safety reasons. 41

35 Optional.

36 105 ILCS 5/10-27.1A, 5/10-27.1B, and 5/10-21.7. "School grounds" includes the real property comprising any school, any conveyance used to transport students to school or a school-related activity, and any public way within 1,000 feet of any school ground. To satisfy the reporting requirement, ISBE created the School Incident Reporting System (SIRS), a web-based application on IWAS for schools to report incidents electronically. Reporting on SIRS does not satisfy the requirement to report incidents to local law enforcement authorities.

37 *Id.* State law imposes this duty to report firearm possession only on school officials; this duty may be also imposed on volunteers and community members. Only staff members, however, are vulnerable to committing a petty offense for their failure to report, and only staff members are protected from civil or criminal liability that might arise as a result of making a report (although the liability potential for anyone making a report is remote).

The building principal must notify the student's parents/guardians only when the alleged offense is firearm possession. The policy expands this notification duty; a board disinclined to do this should substitute the following sentence:

Upon receiving such a report, the Building Principal or designee shall immediately notify the applicable local law enforcement agency, State Police, and, if a student is reportedly in possession of a firearm, also the student's parents/guardians.

38 Required by 105 ILCS 5/24-24 and 23 Ill.Admin.Code §1.280.

39 *Id.*

40 Required by 105 ILCS 5/10-22.6.

41 *Id.*

Student Handbook

The Superintendent, with input from the parent-teacher advisory committee, ⁴² 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 and Written or Electronic
 Material), 8:30 (Visitors to and Conduct on School Property)

⁴² The board must establish and maintain a parent-teacher advisory committee to develop guidelines on student discipline. See policy 2:150, *Committees*. This policy's dissemination requirements are from 105 ILCS 5/10-20.14.

A comprehensive student handbook can provide notice of the school's conduct rules, extracurricular and athletic participation requirements, and other important information. The handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and board.

October 2006

6:60-AP

Instruction

Administrative Procedure - Comprehensive Health Education Program

The major educational areas of the District's comprehensive health education program are described below:

1. In all elementary and secondary schools the health program shall include human ecology and health; human growth and development; the emotional, psychological, physiological, hygienic, and social responsibilities of family life (including sexual abstinence until marriage); prevention and control of disease, and course material and instruction to advise students of the Abandoned Newborn Infant Protection Act. ¹
2. The grades 6-12 health program shall include the prevention, transmission and spread of AIDS; public and environmental health; consumer health; safety education and disaster survival; mental health and illness; personal health habits; alcohol and drug use and abuse (including the medical and legal ramifications of alcohol, drug, and tobacco use, abuse during pregnancy); sexual abstinence until marriage; tobacco; nutrition; and dental health. ²
3. The following areas may also be included as a basis for curricula: basic first aid (including cardiopulmonary resuscitation and the Heimlich maneuver), early prevention and detection of cancer, heart disease, diabetes, stroke, the prevention of child abuse, neglect, and suicide. ³
4. In grades 5-12, the health program shall include instruction on alcohol and drug use and abuse, including the consequences of drug and substance abuse. ⁴
5. In grades K-8, students should be provided with age-appropriate information about the dangers of drug abuse. The District's educational program shall offer drug education units that are integrated into the curricula and are designed to promote effective methods for the prevention and avoidance of drug and substance abuse. ⁵
6. In grades 7-12, the program shall include the prevention of abuse of anabolic steroids. In addition, coaches and sponsors of interscholastic athletic programs shall provide instruction on steroid abuse prevention to students participating in these programs. ⁶
7. The family life and sex education program shall be developed in a sequential pattern and related in depth and scope to the students' physical, emotional, and intellectual maturity level. Family life courses offered in grades 6-12, shall include information regarding the alternatives to abortion and information regarding the prevention, transmission, and spread of AIDS. Course content shall be age-appropriate. ⁷
Class sessions which deal exclusively with human sexuality may be conducted separately for males and females.
8. The health program in grades K-8 shall include annual instruction on the danger of and how to avoid abduction as part of the District's regular curriculum. ⁸ Students shall be given, as appropriate, information on child sexual abuse. ⁹

¹ Required by 105 ILCS 110/3, as amended by P.A. 94-933.

² Id.

³ Id.

⁴ Id.

⁵ 105 ILCS 5/27-13.2.

⁶ Required by 105 ILCS 5/27-23.3, as amended by P.A. 94-14, and 23 Ill.Admin.Code §1.420(u).

⁷ Course requirements are mandated by 105 ILCS 5/27-9.1 and 5/27-9.2, but offering the course is optional.

⁸ Required by 105 ILCS 5/27-13.2 and 23 Ill.Admin.Code §1.420(t).

6:60-AP

Page 1 of 2

Stewardson-Strasburg CUSD 5A

R.R. #1, Box 67

Strasburg, IL 62465

(217) 682-3355

FAX: (217) 682-3305

Facsimile Transmittal Sheet

DATE: 7.23.09

RE: Bullying Policy

TO: Henri Jonville ISBE

COMPANY: (217) 557-8392

FAX NUMBER: _____

PHONE NUMBER: _____

FROM: K. Naab

TITLE: District Secretary

This transmission consists of 15 pages including this cover sheet.

If you do not receive all of the pages or if they are not legible,
please call 217-682-3355.

NOTES/COMMENTS:

**REGIONAL OFFICE OF EDUCATION #11**

730 7th St., Charleston, IL 61920
(217) 348-0151 Fax (217) 348-0171
www.roe11.k12.il.us

Nik Groothuis
*Regional Superintendent
of Schools*
ngroothuis@roe11.k12.il.us

Kevin Van Meter
*Assistant Regional Superintendent
of Schools*
kvanmeter@roe11.k12.il.us

Bobbi Mattingly
*Youth Services
Administrator*
bmatting@roe11.k12.il.us

July 22, 2009

Interim Superintendent Barbara Roberts
Stewardson-Strasburg CUSD #5A
Route 1 Box 67
Strasburg, IL 62465

Dear Interim Superintendent Roberts:

State law requires each district to create and maintain a bullying policy, to file the bullying policy with the State Board of Education, and to communicate the bullying policy annually to its parents, guardians, and students, per 105 ILCS 5/27-23.7(d).

We have been notified by ISBE that your district has not submitted this information as of July 1, 2009. **We have been asked to remind your district that the deadline to submit this information to the State Board of Education is August 14, 2009.**

Districts that remain out of compliance as of that date may be subject to a lower recognition status until such time that they do become compliant with Illinois Law.

Policies may be submitted to:
Henri Fonville
Illinois State Board of Education
Education and School Development
100 North First Street
Springfield, IL 62777

Districts may also fax their policies to Henri Fonville at 217-557-8392 or they may email their policies to hfonvill@isbe.net

Thank you for your prompt attention to this matter. Please contact our office if you have any questions or require assistance.

Sincerely,

Nik Groothuis
Regional Superintendent of Schools
Counties of Clark, Coles, Cumberland, Douglas,
Edgar, Moultrie, and Shelby

Shelbyville Community Unit School District No. 4
Parent-Student Handbook

RECEIVED

AUG 13 2009

Removal From Classroom

EDUCATOR AND
SCHOOL DEVELOPMENT

Any classroom teacher may remove a student from the teacher's classroom for the remainder of the school day when, after attempts at appropriate lesser alternative disciplines and warnings to the student by the teacher, the student continues to engage in behavior which is disruptive. A student may be removed without warning when the student's behavior is so serious as to present an immediate threat to safety, health or property. Removed students shall remain in the school in a restricted or isolated area to be selected by the Superintendent or his designee pending further discipline when applicable.

Moulton & High School: Removal from classroom results in parent(s) or guardian(s) notification and may result in the following disciplinary action:

- 1st offense - after school detention
- 2nd offense - one (1) day Directed Study
- 3rd offense - three (3) days Directed Study
- 4th offense and subsequent offenses:
 - Out-of-school suspension as determined by Principal/Assistant Principal.
 - Parent/teacher conference to re-enter.
 - Loss of privileges for the rest of the year (dances, parties, assemblies, etc.)

A removal from any class is considered an offense. Steps on this progression may be skipped or modified, as determined by the Principal/Assistant Principal.

Hazing Prohibited

Administrative Procedures 7:190-R1

Soliciting, encouraging, aiding, or engaging in hazing is prohibited. "Hazing" means any intentional, knowing, or reckless act directed against a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any organization, club, or athletic team whose members are or include other students.

A student that engages in hazing will be subject to one or more of the following disciplinary actions:

- Removal from the extra-curricular activity
- Conference with parent(s)/guardian(s)
- Referral to appropriate law enforcement agency

A student that engages in hazing that endangers the mental or physical health or safety of another may also be subject to:

- Suspension for up to 10 days
- Expulsion for the remainder of the school term

Bullying Prohibited

The Board of Education, Administration, Teachers and Staff of Shelbyville C.U.S.D. #4 support district wide policies and curriculum that promote positive and appropriate behavior of students and interactions between students.

No person, including a District employee or agent, or student shall bully another student. The District will not tolerate bullying or other similar intimidating conduct, whether verbal, physical, visual, or through electronic means, that affects the tangible benefits of education, that unreasonably interferes with a

Shelbyville Community Unit School District No. 4

Parent-Student Handbook

student's educational performance, or that creates an intimidating, hostile, or offensive educational environment.

Student(s) who believe they are victims of bullying or believe they have witnessed bullying, are encouraged to report the matter to a Building Administrator. All reports will result in a prompt and thorough investigation of the alleged incident(s) of bullying. Students found to have committed bullying will receive appropriate consequences and remedial action according to district policies. Steps will be taken to protect the reporting student(s) against retaliation. Parents of the student(s) who have exhibited aggressive behavior including bullying will be notified.

Sex Equity

Board Policy 7:10

No student shall, on the basis of sex, be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied access to educational and extracurricular programs and activities. Any student may file a sex equity complaint by using the Uniform Grievance Procedure. See Uniform Grievance Procedure, p. 42

Harassment

Board Policy 7:20 and Administrative Procedures 7:20-R

No person, including a District employee or agent, or student, shall harass or intimidate another student based upon a student's sex, color, race, religion, creed, ancestry, national origin, physical or mental disability, sexual orientation, or other protected group status. The District will not tolerate harassing or intimidating conduct, whether verbal, physical, or visual, that affects tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, or wearing or possessing items depicting or implying hatred or prejudice of one the characteristics stated above. Complaints of harassment or intimidation are handled according to the provisions on sexual harassment, below. The Superintendent shall use reasonable measures to inform staff members and students that the District will not tolerate harassment, such as by including this policy in the appropriate handbooks.

Shelbyville C.U.S.D. No. 4

Unit Office
720 W. Main Street
Shelbyville, IL. 62565
217-774-4626
Fax 217-774-2521

Robert J. Verdun
Superintendent

Connie Hall, Administrative Assistant
Kendra Gallagher, Unit Bookkeeper

Date: 8-13-09

Fax # _____

To: Henri Fonville

From: Connie Hall

Number of pages including cover sheet: 3

Message:

Fax Cover Sheet

Shelbyville CUSD #4 Board Policy Manual

7:190

April 23, 1998

Page 1 of 5

Revised March 9, 2000; July 13, 2000; August 9, 2001, December 13, 2001

Students**Student Discipline****Prohibited Student Conduct**

Disciplinary action may be taken against any student guilty of gross disobedience or misconduct, including, but not limited to, the following:

1. Using, possessing, distributing, purchasing, or selling tobacco materials.
 2. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence 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 illegal drugs, controlled substances, look-alike drugs or drug paraphernalia. A "look-alike" drug is defined as 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. Students who are under the influence of any prohibited substance or drug or in possession of any drug paraphernalia are not permitted to attend school or school functions and are treated as though they had drugs or paraphernalia, as applicable, in their possession.
 4. Using, possessing, controlling, or transferring a weapon in violation of the "weapons" section of this policy.
 5. Using or possessing electronic signaling and cellular radio-telecommunication devices, unless authorized and approved by the Building Principal. Electronic signaling devices include pocket - and all similar - electronic paging devices.
 6. Using or possessing a laser pointer unless under a staff member's supervision and in the context of instruction.
 7. Disobeying directives from staff members or school officials and/or rules and regulations governing student conduct.
 8. Using any form or type of aggressive behavior that does physical or psychological harm to someone else and/or urging other students to engage in such conduct. Prohibited aggressive behavior includes, without limitation, the use of violence, force, noise, coercion, threats, intimidation, fear, bullying, or other comparable conduct.
-

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Page 2 of 5

Revised March 9, 2000; July 13, 2000; August 9, 2001, December 13, 2001

9. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.
10. Unexcused absenteeism; State law and Board policy on truancy control will be used with chronic and habitual truants.
11. 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.
12. Involvement in gangs or gang-related activities, including the display of gang symbols or paraphernalia.
13. Engaging in any activity that constitutes an interference with school purposes or an educational function or any disruptive activity.

For purposes of this policy, the term "possession" includes having control, custody, or care, currently or in the past, of an object or substance, regardless of whether or not the item is (a) on the student's person, or (b) contained in another item belonging to, or under the control of, the student, such as in the student's clothing, backpack, automobile, or (c) in a school's student locker, desk, or other school property, or (d) any other location on school property or at a school-sponsored event.

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

1. On, or within sight of, school grounds before, during, or after school hours or at any other time when the school is being used by a school group;
2. Off school grounds at a school-sponsored activity, or event, or any activity or event which bears a reasonable relationship to school;
3. Traveling to or from school or a school activity, function or event; or
4. Anywhere, if the conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member, or an interference with school purposes or an educational function.

Disciplinary Measures

Disciplinary measures may include:

1. Disciplinary conference.
2. Withholding of privileges.
3. Seizure of contraband.

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Revised March 9, 2000; July 13, 2000; August 9, 2001, December 13, 2001

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. Notification of juvenile authorities whenever the conduct involves illegal drugs (controlled substances), look-alikes, alcohol, or weapons.
8. Notification of parent(s)/guardian(s).
9. Removal from classroom.
10. In-school suspension for a period not to exceed 5 school days. The Building Principal or a designee shall ensure that the student is properly supervised.
11. Detention, provided the student's parent(s)/guardian(s) have been notified. If transportation arrangements cannot be agreed upon, an alternative disciplinary measure must be used. The student must be supervised by the detaining teacher or the Building Principal or a designee.

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

Corporal punishment shall not be used. Corporal punishment is defined as slapping, paddling, or prolonged maintenance of students in physically painful positions, or intentional infliction of bodily harm. Corporal punishment does not include, and certificated personnel are permitted to use, reasonable force as needed to maintain safety for other students, school personnel, or persons, or for the purpose of self-defense or the defense of property.

Weapons

A student who uses, possesses, controls, or transfers a weapon, or any object that can reasonably be considered, or looks like, a weapon, shall be expelled for a definite time period of at least one calendar year, but no more than 2 calendar years. The Superintendent may modify the expulsion period and the Board may modify the Superintendent's determination, on a case-by-case basis. A "weapon" means possession, use, control, or transfer of (1) any gun, rifle, shotgun, a weapon as defined by Section 921 of Title 18, United States Code, firearm as defined in Section 1.1 of the Firearms Owner Identification Act or use of a weapon as defined in Section 24-1 of the Criminal Code, (2) any object if used or attempted to be used to cause bodily harm, including, but not limited to, knives, brass knuckles, and billy clubs or (3) "look-alikes" of any weapon as defined above. Any items, such as a baseball bat, pipe, bottle, lock, stick, pencil, and pen, is considered to be a weapon if used or attempted to be used to cause bodily harm. The Superintendent or designee may grant an exception to this policy, upon the prior request of an adult supervisor, for students in 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.

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Revised March 9, 2000; July 13, 2000; August 9, 2001, December 13, 2001

Required Notices

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

Efforts, including the use of early intervention and discipline, shall be made to deter students, while at school or a school-related event, from engaging in aggressive behavior that may reasonably produce physical or physiological harm to someone else. The Superintendent or designee shall ensure that the parent(s)/guardian(s) of a student who engages in aggressive behavior are 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.

Delegation of Authority

Each teacher, and any other school personnel when students are under his or her charge, is authorized to impose any disciplinary measure, other than suspension, expulsion, corporal punishment or in-school suspension, which is appropriate and in accordance with the policies and rules on student discipline. Teachers, other certificated educational employees, and other persons providing a related service for or with respect to a student, may use reasonable force as needed to maintain safety for other students, school personnel, or other persons, or for the purpose of self-defense or defense of property. Teachers may 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 School Board may suspend a student from riding the bus in excess of 10 days for safety reasons.

Student Handbook

The Superintendent, with input from the parent-teacher advisory committee, shall prepare disciplinary rules implementing the District's disciplinary policies. These disciplinary rules shall be presented annually to the Board for its review and approval.

A student handbook, including the District disciplinary policies and rules, shall be distributed to the students' parent(s)/guardian(s) within 15 days of the beginning of the school year or a student's enrollment.

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Page 5 of 5

Revised March 9, 2000; July 13, 2000; August 9, 2001, December 13, 2001

LEGAL REF.: Gun-Free Schools Act, 20 U.S.C. § 3351 et seq.
20 U.S.C. § 6081.
105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-21.7, 5/10-21.10, 5/10-22.6, 5/10-27.1A,
5/10-27.1B, 5/24-24, 5/26-12, and 5/31-3.
23 Ill. Admin. Code § 1.210 and 1.280.

CROSS REF.: 5:230 (Maintaining Student Discipline), 6:110 (Programs for Students At Risk of Dropping Out of School), 7:70 (Attendance and Truancy), 7:130 (Student Rights And Responsibilities), 7:140 (Search And Seizure), 7:150 (police interviews), 7:160 (Student Appearance), 7:170 (Vandalism), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus Conduct), 7:230 (Misconduct By Students With Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 8:30 (Conduct On School Property)

Shelbyville C.U.S.D. No. 4

Unit Office
720 W. Main Street
Shelbyville, IL. 62565
217-774-4626
Fax 217-774-2521

Robert J. Verdun
Superintendent

Connie Hall, Administrative Assistant
Kendra Gallagher, Unit Bookkeeper

Date: 8-13-09

Fax # _____

To: Henri Fonville

From: Connie Hall

Number of pages including cover sheet: 3

Message:

Fax Cover Sheet