

APPENDIX A

School Board Policy Manual

Section VII - Students

Job Descriptions:

- Instructional Assistant/Interpreter
- Pre-Kindergarten at Risk Teacher
- Parent Coordinator/Social Worker
- Library Information Teacher

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Students

Equal Educational Opportunities ¹

Equal educational and extracurricular opportunities shall be available for all students without regard to race, color, national origin, ~~sex~~gender, religious beliefs, sexual orientation, physical and ~~cognitively~~mental handicap or disability, status as homeless, or actual or potential marital or parental status, including pregnancy. ² Further, the District will not knowingly enter into agreements with any entity or any individual that discriminates against students on the basis of sex or any other protected status, except that the District remains viewpoint neutral when granting access to school facilities under Board policy 8:20, *Community Use of School Facilities*. ³ Any student may file a discrimination grievance by using the Uniform Grievance Procedure. ⁴

Sex Equity ⁵

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

Any student may file a ~~gender~~sex equity complaint by using the Uniform Grievance Procedure. A student may appeal the School Board's resolution of the complaint to the Regional Superintendent of Schools (pursuant to 105 ILCS 5/3-10 of The School Code) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8 of The School Code). ⁶

Administrative Implementation

The Superintendent shall insert into this policy the names, addresses, and telephone numbers of the District's current Nondiscrimination Coordinator. ⁷ The Superintendent and Building Principal shall

¹ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content.

² Many civil rights laws guarantee equal education opportunities (see Legal References).

³ 23 Ill. Admin. Code § 200.40(b) prohibits entering into agreements with entities that discriminate against students on the basis on sex. Section 200.80(a)(4) contains an exception for single sex youth organizations, e.g., Boy and Girl Scouts. Note that the U.S. Supreme Court refused to apply N.J.'s public accommodation law to the Boy Scouts because forcing the Scouts to accept a homosexual as a member would violate the Scouts' freedom of expressive association. Boy Scouts of America v. Dale, 120 S.Ct. 2446 (2002).

A public school district may not engage in viewpoint discrimination. Good News Club v. Milford Central School, 121 S.Ct. 2093 (2001). A board must initially determine whether to allow non-school groups to use its facilities. Assuming an affirmative answer, the next step is to decide how or for what purpose non-school groups may use the school facilities (e.g., recreational, civic, educational) or what types of uses are prohibited (e.g., business, fund raising). However, restrictions must not discriminate against speech based on viewpoint. Id.

⁴ Districts must have a grievance procedure (See Legal References following policy). Absent a specific statute or rule, there is no consensus on whether students have the right to appeal a board's decision to the Regional Superintendent and thereafter to the State Superintendent pursuant to 105 ILCS 5/2-3.8.

⁵ Every district must have a policy on sex equity (23 Ill. Admin. Code § 200-40(b). Districts must periodically evaluate their policies and practices to identify and eliminate sex discrimination as well as evaluate course enrollment data to identify disproportionate enrollment based on sex. In-service training for all staff members is also required (23 Ill. Admin. Code § 1.420).

⁶ Districts must have a grievance procedure and tell students they may appeal a board's resolution of a sex equity complaint to the Regional Superintendent and, thereafter, to the State Superintendent (23 Ill. Admin. Code § 200.40).

⁷ Required by regulations implementing Title IX (34 C.F.R. Part 106).

use reasonable measures to inform staff members and students of this policy and grievance procedure.
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Nondiscrimination Coordinator:

Name	<u>Director of Human Resources</u>
Address	<u>Glen Ellyn School District 41</u> <u>793 N. Main St., Glen Ellyn, IL</u>
Telephone No.	<u>630-534-7226</u>

Complaint Managers:

Name	<u>Director of Special Education</u>	<u>Asst. Supt. for Teaching, Learning & Accountability</u>
Address	<u>Glen Ellyn School District 41</u> <u>793 N. Main St., Glen Ellyn, IL</u>	<u>Glen Ellyn School District 41</u> <u>793 N. Main St., Glen Ellyn, IL</u>
Telephone No.	<u>630-534-7234</u>	<u>630-534-7238</u>

The Superintendent shall also use reasonable measures to inform staff members and applicants of this policy, which shall include reprinting this policy in the appropriate handbooks.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. § 11431 et seq.
Title IX, 20 U.S.C. § 1681 et seq.; 34 C.F.R. Part 106.
Rehabilitation Act of 1973, 29 U.S.C. § 791 et seq.
Religious Freedom Restoration Act, 775 ILCS 35/5.
Ill. Constitution, Art. I, § 18.
Good News Club v. Milford Central School, 121 S.Ct. 2093 (2001).
105 ILCS 5/10-21.3, 5/10-22.5, 5/22-19, and 5/27-1.
23 Ill. Admin. Code §§ 1.240, 200.40, and 200.50.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 6:220 (Instructional Materials Selection and Adoption), 7:20 (Harassment of Students Prohibited), 7:130 (Student Rights and Responsibilities), 7:330 (Student Use of Buildings - Equal Access), 8:20 (Community Use of School Facilities)

8 Required by regulations implementing Title IX (34 C.F.R. Part 106; 23 Ill. Admin. Code § 200.40). Comprehensive Faculty and Student Handbooks can provide required notices, along with other important information, to recipients. Handbooks can be developed by the building principal, but should be reviewed and approved by the superintendent and board. Faculty handbooks may contain working conditions and be subject to mandatory collective bargaining.

Students

Student and Family Privacy Rights ^{1 2}

Surveys ³

All surveys requesting personal information from students, as well as any other instrument used to collect personal information from students, must advance or relate to the District's educational objectives as identified in Board policy 6:10, *Educational Philosophy and Objectives*, or assist students' career choices. This applies to all surveys, regardless of whether the student answering the questions can be identified and regardless of who created the survey.

Surveys Created by a Third Party ⁴

Before a school official or staff member administers or distributes a survey or evaluation created by a third party to a student, the student's parent(s)/guardian(s) may inspect the survey or evaluation, upon their request and within a reasonable time of their request.

This section applies to every survey: (1) that is created by a person or entity other than a District official, staff member, or student, (2) regardless of whether the student answering the questions can be identified, and (3) regardless of the subject matter of the questions.

Survey Requesting Personal Information ⁵

School officials and staff members shall not request, nor disclose, the identity of any student who completes any survey or evaluation (created by any person or entity, including the District) containing one or more of the following items:

1. Political affiliations or beliefs of the student or the student's parent/guardian.
2. Mental or psychological problems of the student or the student's family.
3. Behavior or attitudes about sex.
4. Illegal, anti-social, self-incriminating, or demeaning behavior.
5. Critical appraisals of other individuals with whom students have close family relationships.

¹ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content.

² The No Child Left Behind Act of 2001 significantly changed the Protection of Pupil Rights Act, a/k/a/ the Hatch Amendments. The Protection of Pupil Rights Act now requires any school district, "that receives funds under any applicable program [to] develop and adopt policies, in consultation with parents, regarding [statutory privacy rights]." (20 U.S.C. §1232h(c)(1). "Any applicable program" generally refers to any federal program administered by the U.S. Department of Education (20 U.S.C. §1221(c). "Consultation with parents" is not defined; boards are advised, at minimum, to publicize the issue and request public comment during the policy's adoption.

³ This paragraph is not dictated by law. It, however, contains the principles to guide staff and should be carefully considered and re-crafted by each board. Note that IASB sample board policy 6:10, *Educational Philosophy and Objectives*, is very broad and will thus justify surveys covering many subjects. However, it would prohibit the collection of information for marketing or selling (see f/n 13 of this policy); this reference must be struck if the board wants the option of selling personal information collected from students, such as in the following:

A survey requesting personal information from students, as well as any other instrument used to collect personal information from students, must have a business, educational, or marketing justification.

Another alternative is to strictly restrict the subjects on which students may be surveyed, as in the following:

All surveys requesting information from students, as well as any other instrument used to collect personal information from students, must be for the purpose of monitoring the quality of the District's educational programs or assisting students' career choices.

⁴ Required by 20 U.S.C. §§1232h(c)(1)(A)(i) and 1232h(c)(2)(A)(ii).

⁵ Required by 20 U.S.C. §1232h(c)(1)(B).

6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or the student’s parent/guardian.
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

The student’s parent(s)/guardian(s) may:

1. Inspect the survey or evaluation upon, and within a reasonable time of, their request, ⁶ and/or
2. Refuse to allow their child or ward to participate in the activity described above. ⁷ The school shall not penalize any student whose parent(s)/guardian(s) exercised this option.

Instructional Material ⁸

A student’s parent(s)/guardian(s) may inspect, upon their request, any instructional material used as part of their child/ward’s educational curriculum within a reasonable time of their request.

The term “instructional material” means instructional content that is provided to a student, regardless of its format, printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments. ⁹

~~Physical Exams or Screenings~~ ¹⁰

~~No school official or staff member shall subject a student to a non-emergency, invasive physical examination or screening as a condition of school attendance. The term “invasive physical examination” means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.~~

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

- ~~1. Is permitted or required by an applicable State law, including physical examinations or screenings that are permitted without parental notification. ¹¹~~
- ~~2. Is administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.). ¹²~~
- ~~3. Is otherwise authorized by Board policy. ¹³~~

⁶ Id.

⁷ 20 U.S.C. §1232h(c)(2)(A)(ii).

⁸ Required by 20 U.S.C. §1232h(c)(1)(C)(i).

⁹ 20 U.S.C. §1232(c)(6)(A).

¹⁰ The Protection of Pupil Rights Act states that student’s parent(s)/guardian(s) may refuse to allow their child or ward to participate in “non-emergency, invasive physical examination or screening.” (20 U.S.C. §1232h(c)(2)(A)(ii). This does not necessarily mean, however, that schools have authority to conduct invasive physical examinations or screenings of students. In order to avoid misunderstandings, the sample policy prohibits physical examinations and screenings of students as those terms are defined in the policy (and federal law).

A board that wants to retain this option must strike the first sentence and replace it with the following:

A student’s parent(s)/guardian(s) may refuse to allow their child or ward to participate in any non-emergency, invasive physical examination or screening that is: (a) required as a condition of attendance, (b) administered by the school and scheduled by the school in advance; and (c) not necessary to protect the immediate health and safety of the student, or of other students.

¹¹ 20 U.S.C. §1232h(c)(4)(B)(ii).

¹² 20 U.S.C. §1232h(c)(5)(ii).

¹³ If a board adopted a drug-testing program for extracurricular participants, that policy should be referenced here and added to this policy’s cross-references. (See the optional program in 7:240, *Conduct Code for Participants in Extracurricular Activities*.)

Selling or Marketing Students' Personal Information Is Prohibited 14

No school official or staff member shall market or sell personal information concerning students (or otherwise provide that information to others for that purpose). The term "personal information" means individually identifiable information including: (1) a student or parent's first and last name, (2) a home or other physical address (including street name and the name of the city or town), (3) a telephone number, (4) a Social Security identification number or (5) driver's license number or State identification card. 15

The above paragraph does not apply: (1) if the student's parent(s)/guardian(s) have consented; or (2) to the collection, disclosure or, use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions, such as the following: 16

1. College or other postsecondary education recruitment, or military recruitment.
2. Book clubs, magazines, and programs providing access to low-cost literary products.
3. Curriculum and instructional materials used by elementary schools and secondary schools.
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
5. The sale by students of products or services to raise funds for school-related or education-related activities.
6. Student recognition programs.

Under no circumstances may a school official or staff member provide a student's "personal information" to a business organization or financial institution that issues credit or debit cards. 17

Notification of Rights and Procedures 18

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

1. This policy as well as its availability upon request from the general administration office.
2. How to opt their child or ward out of participation in activities as provided in this policy.
3. The approximate dates during the school year when a survey requesting personal information, as described above, is scheduled or expected to be scheduled. 19
4. How to request access to any survey or other material described in this policy.

This notification shall be given parents/guardians at least annually, at the beginning of the school year, and within a reasonable period after any substantive change in this policy.

~~The rights provided to parents/guardians in this policy transfer to the student when the student turns 18 years old, or is an emancipated minor. 20~~

14 The Children's Privacy Protection and Parental Empowerment Act, P.A. 93-462, prohibits the sale of personal information concerning a child under the age of 16, with a few exceptions, unless the parent(s)/guardian(s) have consented. Federal law [20 U.S.C. §1232h(c)(1)(E)] is similar but not identical. In order to effectuate both laws, the sample policy prohibits the sale or marketing of "personal information" unless the parents/guardians have consented.

15 20 U.S.C. §1232(c)(6)(E); Children's Privacy Protection and Parental Empowerment Act, P.A. 93-462.

16 Id.

17 105 ILCS 5/10-20.37, as added by P.A. 93-549.

18 The details in this section are specified in and required by 20 U.S.C. §1232h(c)(2). This information should be in the student handbook.

19 If the board chose to keep the option of marketing personal information received from students and/or conducting physical exams, add the following to this list as appropriate: "collection of personal information from students for marketing and physical examinations or screenings."

20 20 U.S.C. §1232h(c)(5)(B).

LEGAL REF.: Protection of Pupil Rights, 20 U.S.C. §1232h.
Children's Privacy Protection and Parental Empowerment Act, P.A. 93-462.
105 ILCS 5/10-20.37.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 6:210 (Instructional Materials), 6:220
(Instructional Materials Selection and Adoption), 6:260 (Complaints About
Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and
Responsibilities)

Students

Exhibit - Notification to Parents of Family Privacy Rights 1

The School Board has a policy concerning privacy and parental access to information. A complete copy of the policy 7:15, *Student and Family Privacy Rights*, is available upon your request from the general administration office. Please read the policy for a more thorough explanation of these rights. Please note that a student’s parent(s)/guardian(s) may inspect certain documents and/or refuse to allow their child or ward to participate in activities described in the box below. The school will not penalize any student whose parent(s)/guardian(s) exercises this option.

Your child or ward will be asked to complete a survey as described below: [*District inserts survey description, the topics being surveyed, whether it was created by a third party, and whether it will be anonymous.*]

This activity is scheduled on or about _____.
 [*District inserts date before sending notification*]

If you would like to inspect this survey, please contact the school where your child or ward is enrolled by _____. [*District inserts required response date*]

If we do not hear from you by this date, we will assume you do not object to having your child or ward participate in the survey.

¹ The Protection of Pupil Rights Act grants parents the right to preview surveys and to prohibit their child’s participation (20 U.S.C. § 1232h(c)). **This form does not contain the mandatory notifications if a board adopts optional provisions concerning invasive physical examinations.** (See f/ns 2, 9, and 13 in sample policy 7:15, *Student and Family Privacy Rights*.)

Students

Harassment of Students Prohibited ¹

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 of the characteristics stated above. ²

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.

Sexual Harassment Prohibited

Sexual harassment of students is prohibited. ³ 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

¹ State or federal law controls this policy's content.

² This paragraph is optional. While "hate speech" is not specifically mentioned in this paragraph, any hate speech used to harass or intimidate is banned. Hate speech without accompanying misconduct may be prohibited in response to actual incidences when hate speech interfered with the educational environment. West v. Derby Unified School District No. 260, 10th Cir. App. 3/21/2000. The following addition is based on Derby Unified School District; absent documentation of hate speech occurrences, this option's inclusion will probably violate the First Amendment:

District employees and students shall not at school, on school property, or at school activities, wear or have in their possession any material, either printed or in their own handwriting, that is divisive or creates ill will or hatred based on race, religion, or sexual orientation. (Examples: clothing, articles, material, publications or any item that denotes Ku Klux Klan, Aryan Nation-White Supremacy, Black Power, Neo-nazi, or any other "hate" group. This list is not intended to be all-inclusive.)

Note that "sexual orientation" is the only included characteristic that is not a protected status, except in Cook County. Accordingly, it may be eliminated from this policy in non-Cook County districts.

³ Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in any educational program or activity receiving federal financial assistance (42 U.S.C. § 2000h). The sample policy's definition of sexual harassment does not distinguish between welcome and unwelcome behaviors - each is prohibited if it has a result described in sub-paragraph 1 or 2. See Mary M. v. North Lawrence Community School Corp., 131 F.3d 1220 (7th Cir. 1997) (An eighth grade student did not need to show that a school employee's sexual advances were "unwelcome" in order to prove sexual harassment.).

School districts are liable for damage awards for an employee's sexual harassment of a student in limited situations. Liability occurs only when a district official who, at a minimum, has authority to institute corrective action, has actual notice of and is deliberately indifferent to the employee's misconduct. Gebser v. Lago Vista Independent School District, 118 S.Ct. 1989 (1998). Schools are liable in student-to-student sexual harassment cases when school agents are deliberately indifferent to sexual harassment, of which they have actual knowledge, that is so severe, pervasive, and objectively offensive that it can be said to deprive the victims of access to the educational opportunities or benefits provided by the school. Davis v. Monroe County Board of Education, U.S. (1999).

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.

The Superintendent shall insert into this policy the names, addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers. ⁴ At least one of these individuals will be female, and at least one will be male.

Nondiscrimination Coordinator:

Name	<u>Director of Human Resources</u>
Address	<u>Glen Ellyn School District 41</u> <u>793 N. Main St., Glen Ellyn, IL</u>
Telephone No.	<u>630-534-7226</u>

Complaint Managers:

Name	<u>Director of Special Education</u>	<u>Asst. Supt. for Teaching, Learning & Accountability</u>
Address	<u>Glen Ellyn School District 41</u> <u>793 N. Main St., Glen Ellyn, IL</u>	<u>Glen Ellyn School District 41</u> <u>793 N. Main St., Glen Ellyn, IL</u>
Telephone No.	<u>630-534-7234</u>	<u>630-534-7234</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. ⁵

⁴ Title IX regulations require districts to identify the person, address, and telephone number of the individual responsible for coordinating the district's compliance efforts.

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 and 5/27-1.
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)

⁵ In addition to notifying students of the Uniform Grievance Procedure, a district must notify them of the person(s) designated to coordinate the district's compliance with Title IX (34 C.F.R. Part 106.8(a)). A comprehensive student handbook can provide required notices, along with other important information to recipients. The handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and board.

Students

Administrative Procedure - Harassment of Students Prohibited

Actor	Action
Building Principal or Designee	Distribute and publicize Board policy 7:20, <i>Harassment of Students Prohibited</i> , and Board policy 2:260, <i>Uniform Grievance Procedure</i> using various methods, including annually publishing them in the student and staff handbooks.
Building Principal or Designee	Take measures to prevent harassment of students, including: 1 <ol style="list-style-type: none"> 1. Conducting periodic harassment awareness training for all school staff, including administrators, teachers, and guidance counselors; 2. Conducting periodic age-appropriate harassment awareness training for students; 3. Establishing discussion groups in which students can discuss what constitutes harassment and how to respond to it in the school setting; 4. Surveying students to find out whether harassment is occurring at the school; 5. Conducting periodic harassment awareness training for parent(s)/guardian(s); and 6. Working with parent(s)/guardian(s) and students to develop and implement age-appropriate, effective measures for addressing harassment.
Nondiscrimination Coordinator or Grievance Complaint Manager	Take measures to thoroughly and promptly investigate allegations of harassment, including: <ol style="list-style-type: none"> 1. Distributing Board policy 2:260, <i>Uniform Grievance Procedure</i>, to any person upon request; 2. Following Board policy 2:260, <i>Uniform Grievance Procedure</i>; 3. Notifying a student's parent(s)/guardian(s) that they may attend any investigatory meetings in which their child is present; and 4. Keeping a complaining parent(s)/guardian(s) informed of any investigation's progress.
All District Staff Members	Shall comply with the child abuse reporting laws. Keep the harassment investigation's progress, as well as students' oral or written statements, confidential, except that the Superintendent will be kept informed of the investigation's progress.

¹ These are suggestions are based on the U.S. Department of Education's pamphlet, "Sexual Harassment: It's Not Academic." The pamphlet also states:

Adoption of strong preventive measures is often the best way to confront the serious problem of sexual harassment. In addition, the steps described above may also be useful in responding to sexual harassment once it has occurred to ensure that it does not happen again.

Students

School Attendance Area

The Board of Education shall establish attendance boundaries.

Students will attend the school within whose boundaries they reside; however, exceptions to this rule may be granted under procedures established by the Superintendent. When exceptions are granted at the request of parents, the parents of the student(s) involved bear the responsibility of such transportation.

Students

Administrative Procedure – Open Enrollment

Types of Transfers

The circumstances under which exceptions to Policy 7:30 may be granted are presented below with references to the corresponding application/consideration process.

1. The parents or guardians of a 4th/5th grade student move into another attendance area, and want their child to finish his/her elementary school experience at the current school of attendance. Refer to Process A.
2. The parents or guardians of a kindergarten-3rd grade student move into another attendance area, and want their child to finish his/her current grade level at the current school of attendance. Refer to Process A.
3. The parents or guardians of a student(s) will be moving into another attendance area, and want their child enrolled in the new school of attendance before the change in residence occurs. Refer to Process A.
4. A student is being retained at a grade level and must be reassigned to the teacher who recommended his/her retention, an assignment to which the student's parents or guardians object. Refer to Process A.
5. For circumstances not presented above, the parents or guardians of a student want their student to attend a district school other than the one in which he/she is currently enrolled. Refer to Process B.
6. A student needs a program that is not available at his/her current school of attendance, but is available at another district school. Refer to Process C.
7. To address his/her educational and/or physical problems a student needs a school environment that is not available at his/her current school, but is available at another district school. Refer to Process C.

Process A (Applicable to Circumstances 1 – 4)

- Parents or guardians who want to apply for an exception, complete an Application for Exception to School Attendance Area Policy and file it and any required attachments with the principal of the current school of attendance and the principal of the prospective school of attendance in accordance with procedures pre-established by administration.
- Principals of the two schools involved confer, decide and provide written response within two weeks of the date on which the application form is filed. For Circumstances 1 and 2, the current principal responds, and for Circumstances 3 and 4, the prospective principal responds. Copies of the response are provided for the non-responding principal and the Superintendent.

Process B (Applicable to Circumstance 5)

- Parents or guardians who want to apply for an exception complete an Application for Exception to School Attendance Area Policy and file it and any required attachments with the principal of the current school of attendance, the principal of the proposed school of attendance and the Superintendent of Schools. In order for the application to be considered, it must be complete and filed during, but not sooner than, the first two weeks of April in the school year immediately preceding the one in which the proposed exception would be effected, should it be approved.
- The Superintendent of Schools and the principals of the schools involved confer, decide and provide telephoned response (followed by written confirmation) as soon after registration day as possible, but no later than the seventh day of school attendance of the school year in which the proposed exception would occur. Approvals are telephoned by the principal of the receiving school. Disallowance and all written confirmations are provided by the Superintendent's office.

Decisions are based on the professional judgment of the district administrators, the composition of classes, the physical capacity of the receiving school and parity among district schools.

Where there is competition for available space, approvals will be granted on a first-come, first-served basis. The ordering of applications will be accomplished by date-stamping the applications that are received at the Superintendent's office.

- There are conditions or understandings that must attend exceptions approved under Circumstance 5:

The exception is granted for one year only. Those previously approved may re-apply, but are subject to the process already detailed above. Where there is competition for available space, those previously approved and who are reapplying will receive precedence over initial applicants, regardless of their order in filing.

A sibling of those approved is not automatically included in the exception. If parents or guardians want a sibling to enjoy the same exceptions as that approved for a brother or sister, this sibling must be the subject of a separate application, the status of which is the same as all other initial applications.

Students for whom an attendance exception is approved, must comply with all rules and regulations of the receiving school. Failure to do so may result in the revocation of the exception at any time.

Process C (Applicable to Circumstances 6 and 7)

- The recommendation to seek an attendance exception will be a product of the district's Special Services Team process.

Parents or guardians are to be involved in the process and must concur with the recommendation.

Details of the transfer and program are developed by the principals, teachers and parents or guardians.

Application timelines are flexible and are products of participants in the process.

Summaries of all proceedings are kept, with copies to participants and the Superintendent of Schools.

GLEN ELLYN SCHOOL DISTRICT 41**Application For Exception to
School Attendance Area Policy**

1. Name of Applicant _____
2. Address of Applicant _____
3. Phone Number of Applicant _____
4. Legal Relationship to Student (check one) Parent Guardian
5. Name of Student for Whom Exception is Sought _____
6. Student's Current School _____
7. Student's Current Grade Level _____
8. Number of Circumstance on which this application is based (see reverse side for circumstances and corresponding numbers.) Number: _____
9. If you indicated Number 1, 2 or 3:
 - a. Date of move _____
 - b. New address _____
 - c. New school _____
10. If you indicated Number 3, attach signed/notarized statement by contractor or seller or landlord verifying occupancy date.
11. If you indicated Number 4 or 5, Identify your proposed school of attendance, using "1" for first choice, "2" for second choice, etc.

Lincoln Franklin Churchill Forest Glen
12. If you indicated Number 5:
 - a. Attach a statement of your reason(s) for requesting an exception. Please be specific, providing all relevant details and documentation
 - b. Initial this statement indicating that you have read and understand the process and conditions relative to Circumstance Number 5. _____
(Initial Here)

(Signature)

(Date)

Completed applications and required attachments for Circumstance 1, 2, 3 or 4 must be filed with the principal of the current school and the principal of the prospective school. Completed applications and required attachments for Circumstance 5 must be filed during the first two weeks of April with the principal of the current school, the principal of the prospective school, and the Superintendent.

GLEN ELLYN SCHOOL DISTRICT 41**Application for Exception to
School Attendance Area Policy**

1. The parents or guardians of a 4th/5th grade student move into another attendance area, and want their child to finish his/her elementary school experience at the current school of attendance.
2. The parents or guardians of a kindergarten-3rd grade student move into another attendance area, and want their child to finish his/her current grade level at the current school of attendance.
3. The parents or guardians of a student will be moving into another attendance area, and want their child enrolled in the new school of attendance before the change in residence occurs.
4. A student is being retained at a grade level and must be reassigned to the teacher who recommended his/her retention, an assignment to which the student's parents or guardians object.
5. For circumstances not presented above, the parents or guardians of a student want their child to attend a district school other than the one in which he/she is currently enrolled. *(Formerly known as open enrollment. Please read conditions listed below.)*
6. A student needs a program that is not available at his/her current school of attendance, but is available at another district school.
7. To address his/her educational and/or physical problems a student needs a school environment that is not available at his/her current school, but is available at another district school.

**Conditions Applicable to Circumstance Number 5
(Excerpted from Board Policy 7:30)**

The exception is granted for one year only. Those previously approved may re-apply, but are subject to the process as detailed in Board Policy 7:30. where there is competition for available space, those previously approved and who are reapplying will receive precedence over initial applicants, regardless of their order filing.

A sibling of those approved is not automatically included in the exception. If parents or guardians want a sibling to enjoy the same exceptions as that approved for a brother or sister, this sibling must be the subject of a separate application, the status of which is the same as all other initial applications.

Students for whom an attendance exception is approved, must comply with all rules and regulations of the receiving school. Failure to do so may result in the revocation of the exception at any time.

Students

Nonpublic School Students, Including Parochial and Home-Schooled Students 1 2

Part-Time Attendance

The District accepts nonpublic school students, including parochial and home-schooled students, who live within the District for part-time attendance in the District's regular education program on a space-available basis. ³ Requests for part-time attendance must be submitted to the principal of the school in the school attendance area where the student resides. ~~All requests for attendance in the following school year must be submitted before May 1.~~⁴

Students accepted for partial enrollment must comply with all discipline and attendance requirements established by the school. A private school student may attend any co-curricular activity associated with a District class in which he or she is enrolled. The parent(s)/guardian(s) of a student accepted for part-time attendance is responsible for all fees, pro-rated on the basis of a percentage of full-time fees. Transportation to and/or from school is provided to non-public school students on regular bus routes to or from a point on the route nearest or most easily accessible to the non-public school or student's home. This transportation shall be on the same basis as the District provides transportation for its full-time students. ⁵ Transportation on other than established bus routes shall be the responsibility of the parent(s)/guardian(s).

Students with a Disability

The District will accept for part-time attendance those students with disabilities who live within the District and are enrolled in non-public schools. Requests must be submitted by the student's parent(s)/guardian(s). Special educational services shall be provided to such students as soon as possible after identification, evaluation, and placement procedures provided by State law, but no later than the beginning of the next school semester following the completion of such procedures. Transportation for such students shall be provided only if required in the child's individualized educational program on the basis of the child's disabling condition or as the special education program location may require. ⁶

Extracurricular Activities, Including Interscholastic Competition

A nonpublic school student is eligible to participate: (1) in interscholastic competition, provided his or her participation adheres to the regulations established by any association in which the School District maintains a membership, and (2) non-athletic extracurricular activities, provided the student

¹ State or federal law controls this policy's content.

² The compulsory attendance law (105 ILCS 5/26-1 *et seq.*) requires that parent(s)/guardian(s) of a child between the ages of 7 and 16 years send their child to public school. An exception is provided for any child attending a private or parochial school "where children are taught the branches of education taught to children of corresponding age and grades in public schools, and where the instruction of the child in the branches of education is in the English language." (*Id.*) Home schooling is included in this exception if the teacher is competent, the required subjects are taught, and the student receives an education that is at least equivalent to public schooling (*People v. Levisen*, 404 Ill. 574, 90 N.E.2d 213 (1950)).

³ As of January 1, 1996, many of the duties imposed on school boards became powers (105 ILCS 5/10-20). Thus, boards have the power to accept students enrolled in nonpublic schools for part-time attendance (105 ILCS 5/10-20.24). A board should consult legal counsel before deciding not to accept nonpublic students for part-time attendance.

⁴ *Id.*

⁵ Such transportation is required by 105 ILCS 5/29-4.

⁶ This paragraph restates State law (105 ILCS 5/14-6.01).

attends a District school for at least one-half of the regular school day, excluding lunch. **7** A nonpublic student who participates in an extracurricular activity is subject to all policies, regulations, and rules that are applicable to other participants in the activity.

Assignment When Enrolling Full-Time in a District School

Grade placement by, and academic credits earned at, a nonpublic school will be accepted if the school has a Certificate of Nonpublic School Recognition from the Illinois State Board of Education, or, if outside Illinois, if the school is accredited by the state agency governing education. **8**

A student who, after receiving instruction in a non-recognized or non-accredited school, enrolls in the District will: (1) be assigned to a grade level according to academic proficiency, and/or (2) have academic credits recognized by the District if the student demonstrates appropriate academic proficiency to the school administration. **9** Any portion of a student's transcript relating to such instruction will not be considered for placement on the honor roll or computation in class rank. **10**

Recognition of grade placement and academic credits awarded by a nonpublic school is at the sole discretion of the District. All school and class assignments will be made according to Board policy 7:30, *Student Assignment*, as well as administrative procedures implementing this policy.

LEGAL REF.: 105 ILCS 5/10-20.24 and 5/14-6.01.

CROSS REF.: 4:110 (Transportation), 6:170 (Title I Programs), 6:190 (Extracurricular and Co-Curricular Activities), 6:320 (Credit for Proficiency), 7:30 (Student Assignment), 7:300 (Extracurricular Athletics)

7 State law is silent on this issue; however, the Illinois High School Association Bylaws, 3.011 and 4.01, state that in order to be eligible to participate in interscholastic competition, "a student must be enrolled in a district school and take a minimum of 20 credit hours of work for which the district will grant high school credit upon the student's passing the course." If the board decides not to allow such participation, consider omitting this section of the policy and substituting:

Nonpublic school students, regardless of whether they attend a District school part-time, will not be allowed to participate in any extracurricular activities.

8 See the State Board of Education's "Policy and Guidelines for Registration and Recognition of Nonpublic Elementary and Secondary Schools." Nonpublic schools may seek a Certificate of Nonpublic School Recognition by complying with these guidelines and review procedures.

9 The question whether to award academic credit based on proficiency is complex. If credit is not given, any incoming secondary student from a no graded school begins high school as a freshman, regardless of age or proficiency. On the other hand, to award credit based on a student's proficiency only if the student is transferring from a nongraded school will seem unfair to other students. State law is silent on this issue and boards are well advised to consult their administrative team for guidance.

10 Optional.

Students

Administrative Procedure - Assignment

1. The District retains the absolute right for assignment of all students.
2. The parent(s)/guardian(s), teacher, student (when appropriate), and the Building Principal shall meet to consider appropriate placement at grade level.
3. Criteria to be used for placement may include, but not be limited to the following:
 - A. District administered achievement tests.
 - B. Results of District criteria referenced tests.
 - C. Records from previous school enrollment.

~~4. Award of Credits¹~~

- ~~4. A student who, after receiving instruction in a nongraded school, enrolls in the District on a full-time basis may be awarded academic credits from the District provided the student demonstrates appropriate academic proficiency to the School Principal. No grade shall be assigned for any such credits awarded and the official school transcription shall indicate when credits are awarded for home schooling.~~
- ~~4. Proficiency in subject areas is to be determined by tests administered by the respective Department Chairman. Any dispute or question as to a proficiency determination shall be referred to the appropriate Building Principal. The Principal's decision on a student's proficiency will be final.~~
- ~~4. The amount of credit will be determined by the Department Chairmen on the basis of proficiency with a recommendation made to the Building Principal. Satisfactory proficiency for a specific course will be given the grade of "P" for passing with no letter or numerical designation of level of proficiency. The transcript for the instruction period will show the course title for which proficiency was established and that the course was taught in a nongraded school.~~

¹ If credit is not given, any incoming secondary student from a nongraded school begins high school as a freshman, regardless of age or proficiency. On the other hand, to award credit based on a student's proficiency only if the student is transferring from a nongraded school will seem unfair to other students.

Students

School Admissions and Student Transfers To and From Non-District Schools ¹

Age ~~*{Elementary or Unit Districts only}*~~

To be eligible for admission, a child must be 5 years old on or before September 1 of that school term. ² Children who enter first grade must be 6 years of age on or before September 1 of that school year. ³ A child with exceptional needs who qualifies for special education services is eligible for admission at 3 years of age. ⁴

~~Parents/guardians may request early admission for a child. ⁵ The Superintendent or designee shall assess the child's readiness to attend school and make the decision accordingly.~~

Admission Procedure

All students must register for school each year on the dates and at the place designated by the Superintendent.

Parents/guardians of students enrolling in the District for the first time must present:

1. A certified copy of the student's birth certificate or other reliable proof of identity and age. Upon the failure of a person enrolling a student to provide a copy of the student's birth certificate or other reliable proof of identity and age, the Building Principal shall immediately notify the local law enforcement agency and shall also notify the person enrolling the student in writing that, unless he or she complies within 10 days, the case shall be referred to the local law enforcement authority for investigation. If compliance is not obtained within that 10-day period, the Principal shall so refer the case. The Principal shall immediately report to the local law enforcement authority any material received pursuant to this paragraph that appears inaccurate or suspicious in form or content. ⁶
2. Proof of residence, as required by Board policy 7:60, *Residence*.
3. Proof of disease immunization or detection and the required physical examination, as required by State law and Board policy 7:100, *Health Examinations, Immunizations, and Exclusion of Students*. ⁷

¹ State law requires some of the subject matter contained in this sample policy to be covered by policy and controls this policy's content. Boards must adopt a policy on school admissions (105 ILCS 5/10-21.2) and restricting a student from transferring from another school while under a suspension or expulsion from that school (105 ILCS 5/10-22.6).

² 105 ILCS 5/10-20.12. The district may, however, establish a kindergarten for children between the ages of 4 and 6 years old (105 ILCS 5/10-20.19a and 5/10-22.18). Any child between the ages of 7 and 17 must attend public or private school, with certain exceptions allowed for physical and mental disability, lawful employment, or other reasons as specified by statute (105 ILCS 5/26-1 as amended by P.A. 93-858.).

³ Optional.

⁴ 105 ILCS 5/14-1.02 and 5/14-1.03a; 23 Ill.Admin.Code §§1.450(d) and 226.120. Note that after a child is determined to be eligible for special education services, the child must be placed in the appropriate program no later than the beginning of the next school semester (105 ILCS 5/14-8.02(b)).

⁵ 105 ILCS 5/10-20.12. Districts that do not permit early admission should omit this paragraph.

⁶ Missing Children Act 325 ILCS 55/1 *et seq.* and 50/1 *et seq.* Other reliable proof includes "a passport, a visa or other governmental documentation for the child's identity."

A district must also "flag" a student's record on notification by the State police of the student's disappearance and report to the State police any request for a "flagged" student record.

⁷ Each school must maintain records for each student that reflect compliance with the examination and immunization required by 105 ILCS 5/27-8.1 (23 Ill.Admin.Code §1.530(a)). A Tuberculosis skin test is required if the student lives in an area designated by the Dept. of Public Health as having a high incidence of Tuberculosis.

Homeless Children

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce records normally required for enrollment. ⁸ Board policy 6:140, *Education of Homeless Children*, and its implementing administrative procedure, govern the enrollment of homeless children.

Student Transfers To and From Non-District Schools ⁹

A student may transfer into or out of the District according to State law and procedures developed by the Superintendent. A student seeking to transfer into the District must serve the entire term of any suspension or expulsion, imposed for any reason by any public or private school, in this or any other state, before being admitted into the School District.

⁸ Required by 105 ILCS 45/1-1 et seq. and the McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq., as amended by the No Child Left Behind Act. See §11432(g)(3)(C)(i).

⁹ 105 ILCS 5/2-3.13a, as amended by P.A. 93-859, requires ISBE to establish a system to provide accurate tracking of transfer students. At a minimum, these rules must provide that, unless the receiving school notifies the original school that a student enrolled there, the original school must count the student as a dropout. The law requires each transferor (original) school to keep documentation of transfers in the student's record.

105 ILCS 5/10-22.6 requires boards to adopt a policy restricting a student from transferring from another school while under a suspension or expulsion from that school. A board has 2 basic options: Under option one, it may comply with the minimum requirements of State law by refusing to allow a student transferring from any public school to attend classes until the period of any suspension or expulsion has expired when the penalty was for: (1) knowingly possessing in a school building or on school grounds a weapon as defined in the Gun Free Schools Act, (2) knowingly possessing, selling, or delivering in a school building or on school grounds a controlled substance or cannabis, or (3) battering a staff member of the school. Under option two, a board may require a student who was suspended or expelled for any reason from any public or private school in this or any other state to complete the entire term of the suspension or expulsion before being admitted to the school district. The sample policy uses the second, more simple, more comprehensive alternative. Under either option, however, a board may allow placement of the student in an alternative school program established under Article 13A for the remainder of the suspension or expulsion, as reflected in the following optional addition:

Upon the Superintendent or designee's recommendation, the Board may allow a student who was suspended or expelled from any public or private school to be placed in an alternative school program established under Article 13A of The School Code for the remainder of the suspension or expulsion.

Foreign Students [High School or Unit Districts only] 10

~~The District accepts foreign exchange students with a J-1 visa and who reside within the District as participants in an exchange program sponsored by organizations screened by administration. Exchange students on a J-1 visa are not required to pay tuition. 11~~

~~Privately sponsored exchange students on an F-1 visa may be enrolled if an adult resident of the District has temporary guardianship and the student lives in the home of that guardian. Exchange students on an F-1 visa are required to pay tuition at the established District rate. 12 F-1 visa student admission is limited to high schools and attendance may not exceed 12 months.~~

~~The School Board may limit the number of exchange students admitted in any given year. Exchange students must comply with District immunization requirements. Once admitted, exchange students become subject to all District policies and regulations governing students.~~

Re-enrollment 13 [High School or Unit Districts only]

~~Re-enrollment shall be denied to any individual above the age of 19 years who has dropped out of school and who could not earn sufficient credits during the normal school year(s) to graduate before his or her 21st birthday. A person denied re-enrollment will be provided counseling and be directed to~~

10 Generally, a citizen of a foreign country who wishes to enter the U.S. must first obtain either: (1) a nonimmigrant visa (for temporary stay for tourism, medical treatment, business, temporary work, or study), or (2) an immigrant visa for permanent residence. Common visas presented by foreign students are:

1. J-1 nonimmigrant visas for participants in educational and cultural exchange programs designated by the U.S. Department of State, Exchange Visitor Program, and Designation Staff. These students are enrolled provided they otherwise qualify for admission.
2. F-1 nonimmigrant student visa. F-1 visas are not issued for attendance at an elementary or middle school (K-8). Before obtaining an F-1 student visa, the individual must submit evidence that the school district has been reimbursed for the unsubsidized per capita cost of the education. These students are enrolled provided they otherwise qualify for admission. However, attendance at U.S. public high schools cannot exceed a total of 12 months.
3. B-2 visitor nonimmigrant visas. There is disagreement over whether these students must be enrolled tuition free. Their "visitor" visa is evidence of non-resident status. Call INS or the district's attorney for guidance.
4. The qualified school-age child of an alien who holds another type of visa (i.e., A, E, H, I, L, etc.), other than a visitor visa. These students are enrolled provided they otherwise qualify for admission. Likewise, dependents of foreign nationals on long-term visas are enrolled provided they otherwise qualify for admission.
5. No immigration documentation. *Plyler v. Doe*, 102 S.Ct. 2382 (1982). A school cannot deny admission based upon immigration (illegal) status alone. Note that singling out foreign-looking students for visa requests is probably illegal discrimination. Thus, undocumented aliens are enrolled, provided they otherwise qualify for admission.
6. Immigrant visa. These students are enrolled provided they otherwise qualify for admission.

The Student and Exchange Visitor Information System (SEVIS) is an Internet-based system that provides tracking and monitoring, with access to accurate and current information on nonimmigrant students (F and M visas) and exchange visitors (J visa), and their dependents (F-2, M-2, and J-2). See §641, Illegal Immigration Reform and Immigrant Responsibility Act. Section 641 is an exception to the Family Educational Rights and Privacy Act. See 8 CFR §214.1(h). SEVIS enables schools and program sponsors to transmit electronic information and event notifications, via the Internet, to the INS and Department of State throughout a student's or exchange visitor's stay. SEVIS will provide system alerts, event notifications, and reports to the end-user schools and programs, as well as for INS and DOS offices.

According to federal regulations, students who apply for F-1, M-1, F-3, or M-3 visas must pay a \$100 fee, and students who apply for J-1 visas must pay a \$35 fee, to the Department of Homeland Security. The regulations describe when and how the fee is to be paid, who is exempt from the fee, and the consequences for failure to pay (8 C.F.R. Parts 103, 214, and 299).

IMPORTANT: Admitting students on an F-1 visa may require the district to admit students transferring from another district under NCLBA's school choice provisions. See policy 7:60, *Residence*.

11 State law allows, but does not require, boards to waive nonresident tuition for these students (105 ILCS 5/10-22.5a).

12 Exchange students on F-1 visas must pay the full-unsubsidized public education costs before entering the U.S. (8 U.S.C. §1101). Boards may not waive the fee.

13 105 ILCS 5/26-2(b), as amended by P.A. 93-803. Some level of due process may be required before a district may deny an individual re-enrollment under this policy. A district should consult its attorney on this matter.

~~alternative educational programs, including adult education programs, that lead to graduation or receipt of a GED diploma. This section does not apply to students eligible for special education under the Individuals With Disabilities Act or accommodation plans under the Americans With Disabilities Act.~~

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.
Family Educational Rights and Privacy Act, 20 U.S.C. §1232.
Illegal Immigrant and Immigrant Responsibility Act of 1996, 8 U.S.C. §1101.
20 U.S.C. §1400 et seq.
42 U.S.C. §12101 et seq.
105 ILCS 5/2-3.13a, 5/10-20.12, 5/10-22.5a, 5/14-1.02, 5/14-1.03a, 5/26-1, 5/26-2,
5/27-8.1, and 10/8.1.
325 ILCS 55/1 et seq. and 50/1 et seq.
23 Ill.Admin.Code §375 et seq.

CROSS REF.: 6:140 (Education of Homeless Children), 6:310 (Credit for Alternative Courses and Programs, and Course Substitutions), 7:60 (Residence), 7:70 (Attendance and Truancy), 7:100 (Health Examinations, Immunizations, and Exclusion of Students), 7:340 (Student Records)

Students

Administrative Procedure - School Admissions and Student Transfers To and From Non-District Schools

Transferring In

Actor	Requirements and Actions That Must Be Completed
All students seeking admission	Shall meet all residency, age, health examination, immunization, and other eligibility prerequisites as mandated by State law and Board policy on admissions.
Parent(s)/guardian(s) of a student	<p>If the student is transferring from an Illinois public school, the parent(s)/guardian(s) shall present a completed Good Standing Form from the Illinois public school from which the student is transferring (105 ILCS 5/2-3.13a). The Good Standing Form (ISBE Form 33-78) indicates whether the student's medical records are current and whether the student is currently being disciplined by a suspension or expulsion.</p> <p>If the student is transferring from any private school (whether located in Illinois or not) or any non-Illinois public school, the parent(s)/guardian(s) shall certify in writing that the student is not currently serving a suspension or expulsion imposed by the school from which the student is transferring (105 ILCS 5/2-3.13a).</p>
Building Principal or designee (response to above)	<p>Shall deny admittance to any student who was suspended or expelled for any reason from any public or private school in this or any other state until the student completes the entire term of the suspension or expulsion (105 ILCS 5/2-3.13a).</p> <p>If the student is transferring from an Illinois public school, the Building Principal or designee shall refuse to admit the student unless the student can produce a Good Standing Form from the student's previous school.</p> <p>If the student is transferring from any private school (whether located in Illinois or not) or any non-Illinois public school, the Building Principal or designee shall refuse to admit the student unless his or her parent(s)/guardian(s) certify in writing that the student is not currently serving a suspension or expulsion imposed by the school from which the student is transferring.</p>
Superintendent or designee	May, upon the request of the parent(s)/guardian(s) of a student suspended or expelled for any reason, place the student in an alternative school program established under <u>The School Code</u> (105 ILCS 5/2-3.13a). ¹

¹ Amend this sentence as necessary to be consistent with board policy (see footnote 10, sample policy 7:50).

Actor	Requirements and Actions That Must Be Completed
Parent(s)/guardian(s) of a student	Shall request the student's former school to send a record of his or her grades and school records (105 ILCS 5/2-3.13a).
Building Principal or designee	Shall admit a student who is unable to present the above records and request the records from the transferring school. An official transcript of the records, if received, will replace the unofficial grade record. Shall make the class or grade level assignment, with input from a counselor when needed, and may accept or reject the transferring school's recommendations. When parent(s)/guardian(s) of a student eligible for special education present an individualized education program to a new school, the student must be placed in a program in accordance with the IEP (105 ILCS 5/10-20.12A).
Transferring school	Must, if it is a public or nonpublic school within Illinois, send the student's records within 10 days of notice (105 ILCS 5/10-20.12A and 5/50-8.1).

Transferring Out

Actor	Requirements and Action That Must Be Completed
Parent(s)/guardian(s) of a student transferring from the District	Shall notify the Building Principal of their intent, pay outstanding fees or fines, sign a release form authorizing the release of student records, and return all school-owned property.
Building Principal or designee	Shall complete a Good Standing Form, if appropriate (105 ILCS 5/2-3.13a) and, if a transferring student is currently suspended or expelled, indicate the date and duration of the suspension or expulsion. Shall, within 10 days of a transfer notification, send to the district in which the student will or has enrolled a completed Good Standing Form, an unofficial record of the student's grades, and the remainder of the student's school records. Shall, within 10 days after the student has paid all outstanding fines and fees, mail an official transcript of the scholastic records (105 ILCS 5/2-3.14).
Parent(s)/guardian(s) of a student transferring from the District	May review and copy the student's records, as desired.
Parent/guardian who petitioned for an order of protection	If a child transferring to another school is a "protected person" under an order of protection, the petitioner may request the Building Principal or designee to provide written notice of the order of protection, along with a certified copy of the order, to the institution to which the child is transferring (750 ILCS 60/222).

Actor	Requirements and Action That Must Be Completed
Building Principal or designee	Shall respond to the above request by providing, within 24 hours of the transfer, written notice of the order of protection, along with a certified copy of the order, to the institution to which the child is transferring.

LEGAL REF.: Family Educational Rights and Privacy Act, 20 U.S.C. § 1232.
105 ILCS 5/2-3.13a and 10/8.1.

Students

Exhibit - Student Transfer Form

In accordance with Section 2-3.13a of The School Code, all public school districts must give this form to any student who is moving out of the district to verify whether or not the student is "In Good Standing" and, whether or not their medical records are up-to-date and complete. "In Good Standing" means that the student is not being disciplined by an out-of-school suspension or expulsion, and is entitled to attend classes, as of this form's date. No public school district is required to admit a new student unless the student produces this form from the student's previous Illinois public school district.

Name of Student (<i>Last, First, Middle</i>)	Birth Date (<i>Month, Day, Year</i>)	Sex	Grade Level
Address of Student			
Name of Parent/Guardian		Parent/Guardian Telephone	
		Home:	Work:
Address of Parent/Guardian			

Please check (✓) appropriate box.

- The above student is "In Good Standing" and his or her medical records are up-to-date and complete as of the date of this form.
- The above student's medical records are **not** up-to-date and complete as documented in the student's permanent records.
- The above student is **not** "In Good Standing" due to a current suspension and/or expulsion; but is entitled to transfer in accordance with Section 2-3.13a (105 ILCS 5/2-3.13a).
- I hereby attest that the above student is **not** "In Good Standing" due to a current suspension and/or expulsion from _____ until _____ and is **not** eligible for transfer for knowingly possessing in a school building or on school grounds a weapon as defined in the Gun Free Schools Act (20 U.S.C. 8921 *et seq.*); for knowingly possessing, selling, or delivering in a school building or on school grounds a controlled substance or cannabis; or for battering a school staff.

Name of Principal	School Phone	County
District Name	District Address (<i>City, State, Zip Code</i>)	

_____ *Date*

_____ *Signature of Principal*

Students

STUDENT RESIDENCY

Residency Requirements

Generally, Illinois law provides that the residence of a student is deemed to be the same as the residence of the person who has legal custody of the student and permits only students who are residents of the School District to enroll and attend on a tuition-free basis. The person claiming legal custody must also reside in the School District. The grounds for legal custody are set forth in the School Code along with certain exceptions to legal custody and residence requirements.

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

The criteria for determining the residency of special education students and homeless students are set forth in the School Code and must be applied in place of the criteria and procedures generally applicable to students, when appropriate.

Tuition for Non-Residents

Under Section 10-22.5 of the Illinois School Code, the Board of Education may, but is not required to, admit non-resident students. Due to the present lack of capacity in the schools, it is generally the policy of the Board to deny admission to non-resident students. If in exceptional circumstances a non-resident student is permitted to enroll or if an unauthorized non-resident student attends, the student must be charged tuition in accordance with the mandate of the School Code. The student's parent(s)/guardian(s) will be responsible for transporting the student to and from school. A regular education student who becomes a non-resident during the school term may attend school until the completion of the school term in June on a tuition-free basis so long as there is no break in enrollment after becoming a non-resident. However, a special education student may be subject to disenrollment upon becoming a non-resident.

Payment of Tuition

Tuition shall be paid by certified or cashier's check in advance on a semester-by-semester basis. However, non-resident students whose custodial parent or guardian shows sufficient intent to move into the School District by October 1 of the current school term may be admitted on a conditional tuition-free basis until October 1. If residency is not fully established by October 1, tuition from that date will be charged, and the student is subject to disenrollment, generally at the end of the semester or the school term in June.

Demonstration of sufficient intent must be by a real estate purchase contract with all significant contingencies satisfied, a closing statement or a lease, showing entitlement to possession by October 1st.

Residency Investigation

The Superintendent may investigate and determine the residency of any student before or after enrollment in accordance with the applicable provisions of Illinois law and may require the involved persons to

provide additional information to be considered by the District in determining residency. Such information may include, but is not limited to, real estate contracts, leases, financial documents, tax documents, bills, and vehicle registrations and licenses. The investigation may include, but is not limited to, interviews, completion of questionnaires, observations and home visits. Whenever the Superintendent receives information believed to be reliable questioning the residency of the student, the Superintendent shall conduct an investigation to determine whether the student is a resident of the district. Pending a decision by the Superintendent, a student enrolled and attending school in the district may continue to attend school. If a student has not begun attendance in school when residency is questioned, the Superintendent shall generally deny attendance pending determination of the student's residency; however, students who are considered homeless under the School Code must be enrolled immediately. At the conclusion of the investigation and after providing the student and the student's parents or other appropriate person an opportunity to discuss the matter, the Superintendent shall make a decision as to the student's residency. If the Superintendent determines that the student is not a resident, the Superintendent will take appropriate action which may include refusing to enroll or disenrolling the student.

If the Superintendent determines that a student already enrolled is not a resident of the School District, notice of the decision and an opportunity for a hearing shall be given, a hearing held before the Board or its hearing officer if timely requested, and a decision made in accordance with the procedures specified in the School Code. The student may be disenrolled and tuition charged for the period of non-residency, if non-residency is found by the Superintendent, subject to appeal to, and/or affirmation by, the Board. However, pending any appeal to, and/or affirmation by, the Board of the Superintendent's determination of non-residency, a student enrolled and attending school in the district may continue to attend school. The person responsible for the student is also responsible for tuition pending an appeal if non-residency is found by the Board, as well as tuition for the balance of the period of non-residency.

As used in this policy, the term "Superintendent" includes the Superintendent's designee.

Criminal Punishment for Misrepresentation of Residency

Illinois law has made it a crime, punishable by imprisonment and fine, to knowingly or willfully present any false information regarding the residency of a student for purposes of enabling that student to attend on a tuition-free basis or to knowingly enroll or attempt to enroll a student on a tuition-free basis when the student is known to be a non-resident of the District. The Superintendent is authorized to seek prosecution to the full extent of the law of any person who the Superintendent believes has committed any residency-related crime. Civil proceedings may also be initiated with the approval of the Board.

Revised and Adopted: March 22, 2004

Students
STUDENT RESIDENCY

Administrative Procedure - Guidelines for Determining Student Residency

Residency Categories

Generally, a student will be regarded as a resident and enrolled on a tuition-free basis if the student falls within one of the following categories:

1. The student and the person with legal custody of the student live in the school district on a full-time and indefinite length of time basis. If the residency in the District of the person with whom the student lives is on a temporary basis, it must not be as a visitor or for educational purposes. A person usually will be deemed to have custody of the student when the person is an adult and has immediate and predominant authority and control over most of the major aspects of the student's life. Major aspects of the student's life include medical treatment, discipline, financial support, education, social activities and day-to-day nourishment, care and sleeping arrangements. Legal custody exists in any one of the following circumstances:
 - a. Custody is exercised by a natural or an adoptive parent with whom the student resides.
 - b. Custody has been granted by court order to a person with whom the student resides, for reasons other than to have access to the educational programs of the District.
 - c. The student lives in the school district with an adult to whom the parents have informally given up custody and control of the student for reasons other than so that the student could attend school in the school district. Custody is exercised under a short-term guardianship. Short-term guardianship is transferred by a document containing information specified by law and signed by the parent transferring guardianship to another person. Unless Court approval is obtained, the transfer cannot exceed 60 days.
 - d. Custody is exercised by a caretaker adult relative who is receiving aid under the Illinois Public Aid Code for the student who resides with that caretaker for purposes other than to have access to the educational programs of this District.
 - e. Custody is exercised by an adult who demonstrates that, in fact, he or she has assumed and exercises legal responsibility for the student and provides the student with a regular fixed nighttime dwelling for purposes other than to have access to the educational programs of this District.
 - f. Military Personnel Enrolling a Student for the First Time in the District must provide one of the following within 60 days after the date of student's initial enrollment:

- Postmarked mail addressed to military personnel
- Lease agreement for occupancy
- Proof of ownership of residence

- g. Military personnel wanting to keep child/ward enrolled in the District despite having changed residence due to a military service obligation. Upon submitting a written request, the student's residence will be deemed to be unchanged for the duration of the custodian's military service obligation. The District, however, is not responsible for the student's transportation to or from school.
2. The student is in an exchange program approved by the Superintendent and the State Board of Education.
 3. The student has been placed with a foster parent or child care facility by the Department of Children and Family Services outside this District, but DCFS has determined it to be in the best interests of the student to maintain attendance in this District. In this instance, the School District will look to DCFS to provide or fund transportation for the student.
 4. An enrolled resident student becomes a non-resident during the school term. May continue to attend tuition-free until the end of the regular school term in June so long as the student maintains enrollment. Transportation shall be provided by parent(s)/guardian(s).
 5. The student is homeless.

If the student does not meet one of these criteria, the student should not be enrolled, or should be disenrolled if the student has already been attending school.

Residency Investigation

A residency investigation:

1. should be conducted if any of categories 1(a) - (d), 3, 4, or 5 are applicable, but not clearly satisfied;
2. should be conducted if category 1(e) or 5 is claimed as the basis for residency;
3. need not be undertaken with respect to category 4;
4. need not be conducted if category 2 applies, but approval of the exchange program by the ISBE and Superintendent should be confirmed.

As part of the investigation, facts should be gathered through completion of residency questionnaires, review of additional documents relating to residency, interviews, a visit to the residence and/or observations as appropriate to the situation.

Special Education Students

The residency of a special education student involves different criteria. Generally, a residency investigation should be completed as discussed above and then the issue reviewed with the

Superintendent before a final decision is made. A student with an active IEP or who has been identified as eligible for special education services will be regarded as a resident and enrolled on a tuition-free basis in any one of the following circumstances:

1. The student's parent with legal guardianship of the student, or an individual guardian who has been appointed for the student by the courts, resides in the School District.
2. The student's parents are legally separated or divorced, both parents retain legal guardianship or custody and the student's parent who provides the student's primary regular fixed nighttime abode resides in the School District. However, the election of the resident district by the parents may be made only once per school year.
3. An Illinois public agency has guardianship of the student and
 - a. the student and parent both reside in the School District; or
 - b. the agency has placed the student residentially in the School District; or
 - c. the student has been residentially placed outside the State and the School District was the last school district to provide at least 45 days of educational service to the student.
4. An Illinois court has ordered residential placement of the student, but the student's parent has legal guardianship and resides in the School District.
5. The student resides in the School District and:
 - a. a parent or court appointed guardian has legal guardianship, but the location of the parent or guardian is unknown; or
 - b. the student is age 18 or older and no legal guardian has been appointed; or
 - c. the student is legally an emancipated minor.

When the parent, or other person, with legal guardianship lives outside the State, the parent, legal guardian, or other placing agent is responsible for making arrangements to pay the School District for the educational services rendered to a special education student.

Homeless Students

A homeless student is one who:

1. lacks a fixed, regular and adequate nighttime place of abode; or
2. who has a primary nighttime place of abode that is:
 - a. a supervised publicly or privately operated shelter designated to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing);

- b. an institution that provides a temporary residence for individuals intended to be institutionalized; or
- c. a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings.

A parent or guardian of a homeless student may enroll that student in either the "school of origin" or in the school for the attendance area in which the student actually lives. "School of origin" is the school that the student attended when permanently housed or the school in which the student was last enrolled.

Homeless students shall be enrolled immediately, even if they are unable to provide records normally required for enrollment, and will be referred promptly for necessary immunizations in order to facilitate their prompt admission.

Guidelines Regarding Custody and Control

Like most aspects of student residency issues, the question whether custody and control of a student has been transferred by a custodial parent or guardian of the student to another person with whom the student lives in the school district must be answered by collection and analysis of facts. Although no single fact is necessarily determinative nor do all of the following facts have to be present, the following facts suggest a change in custody and control sufficient to establish residency for purposes of tuition-free attendance at school:

1. The custodial parent or guardian seldom sees the student on weekends, at mealtimes, overnight, or on school holidays and vacations.
2. The custodial parent or guardian seldom converses by telephone with the student or the person with whom the student lives in the school district.
3. The custodial parent or guardian lives such a distance from the student that effective control over the student is unlikely.
4. The person with whom the student lives, and not the custodial parent or guardian:
 - a. disciplines the student;
 - b. arranges for medical care;
 - c. determines when the student comes and goes from the place of residence;
 - d. determines who the student sees as friends;
 - e. provides meals for the student;
 - f. meets much of the day-to-day financial needs of the student.
5. The student lives apart from the custodial parent or guardian for reasons other than attendance at school, such as financial difficulties of the custodial parent or guardian, marital or family strife in the home of the custodial parent or guardian, inability of the custodial parent or guardian to control the student, emotional, alcohol or drug-related problems of the student or the custodial parent or guardian.

6. The custodial parent or guardian does not claim the student as a dependant on his or her federal income tax return.

In addition to the factors summarized above, the student must live in the school district on a full-time and indefinite length of time basis.

Enrollment/Disenrollment Decisions

Generally, a student should not be enrolled until the investigation is completed and a final decision made. A final decision should generally not be made on residency until the results of the investigation are discussed with the person seeking to enroll the student. However, if a student is enrolled, the student should not be disenrolled until after a conference is held with the parent and the person with whom the student lives and the School Code procedures set forth in the next section are followed. If the student is an adult, the student should be included in the conference.

If the School District denies enrollment to a child claiming to be homeless, the parent or guardian must be referred to the Regional Superintendent and to sources of low-cost or free legal or other advocacy services in the community.

Notice and Hearing Procedure Prior to Disenrollment

1. Notice of Tuition Due.

Upon determining that a currently enrolled student is not a resident of the School District, the Board, or the Superintendent on behalf of the Board, must give notice to the person who enrolled the student of the amount of tuition owed to the School District and, if applicable, the intention to disenroll the student. The notice must be given by certified mail, return receipt requested.

2. Request for Review.

The person who enrolled the student may request a review hearing within 10 days of receipt of the tuition notice. If a hearing is requested, the Board, or the Superintendent, must notify the requestor within 10 days, by certified mail, of the time and place of the hearing. The hearing must be not less than 10 and not more than 20 days after the date of the notice of hearing.

3. Hearing Procedure.

The Board may hold the hearing itself or designate a hearing officer to do so. The requestor may also be represented by the representative of its choice, and has the burden of providing evidence of the pupil's residency. The hearing procedure will be substantially as follows:

- a. Opening statements.
- b. Presentation of evidence by the person who enrolled the student/cross-examination.
- c. Presentation of evidence by the school administration/cross-examination.
- d. Rebuttal/cross-examination.
- e. Closing statements.

4. Post-Hearing Procedure

If a hearing officer conducted the hearing, the hearing officer must send his or her findings to the board and the person who enrolled the pupil within 5 days after the close of the hearing. The person who enrolled the pupil may file written objections to the Superintendent within 5 days of receiving the findings. Within 15 days of the hearing, the Board must make a final determination as to the pupil's residency and send its decision to the person who enrolled the pupil.

5. Disenrollment.

The student may not be disenrolled until at least 10 days after receipt of the tuition notice. If the person who enrolled the student requests a hearing within 10 days, and requests that the student remain in school pending the hearing, then the Board may not disenroll the student until the conclusion of the hearing process.

~~Revised and Adopted: March 22, 2004~~

Reviewed and Adopted: March 22, 2004

Affidavit Concerning Student Residence

I.

Answers to the following inquiries are necessary in determining residency for school attendance. This form is to be completed by the child's parent or guardian/custodian.

II.

IF YOU PROVIDE AN ANSWER WHICH YOU KNOW IS FALSE, YOU CAN BE CRIMINALLY PROSECUTED FOR PERJURY.

III.

General Information

1. Name of Student: _____
2. Address where Student presently lives: _____

3. Name of Mother: _____
4. Where does Mother live? _____

5. Name of Father: _____
6. Where does Father live? _____

IV.

7. Are Parents divorced? _____
8. Who has custody of student? _____
9. What is the date of divorce decree? _____
10. A certified copy of the divorce decree, order of custody and/or joint parenting agreement and any amendments thereto must be furnished.

V.

If Student is not living with a parent:

11. Name of person(s) with whom the Student lives: _____

12. Relationship of each said person(s) to the Student: _____

13. Why is the Student living with said person(s): _____

14. On what date did the Student move in with said person(s): _____

15. Does said person(s) with whom the Student is staying have authority to discipline student?_

16. Is said person(s) with whom the Student is staying paid any money for food, housing or for keeping the Student? _____

17. For how long is the arrangement with said person(s) with whom the student is staying? _____

18. Has said person(s) with whom the Student lives become legal guardian(s) of the Student?_

19. If the answer is yes, attach a copy of the guardianship order.

20. Why was the guardianship secured? _____

21. Where did the Student reside during the previous summer? _____

22. Do you pay any money to support the Student? _____

23. Who declares the Student as a dependent for income tax purpose? _____

24. Who is authorized to receive report cards? _____

25. Who would attend Parent conferences at the school? _____

26. Who would receive notifications in case of Student discipline, suspension or expulsion? _____

27. On Saturdays and Sundays, where does the Student stay? _____

28. Where does the Student take his or her meals

a. from Monday through Friday? _____

b. on Saturdays and Sundays? _____

29. Where did the student attend school last year? _____

30. List the names and ages of any brothers or sisters, where they live and where they attend school:

Name	Age	Address	School Attended
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

In executing this affidavit, I acknowledge having read and understood the following:

“If a pupil is determined to be a nonresident of the District for whom tuition is required to be charged pursuant to this section, the School Board shall refuse to permit the pupil to continue attending the schools of the District unless the required tuition is paid for the pupil.” “A person who knowingly or willfully presents to any School District any false information regarding the residency of a pupil for the purpose of enabling that pupil to attend any school in that District without the payment of a non-resident tuition charge shall be guilty of a Class C Misdemeanor.” (105 ILCS 5/10-20.12b)

I understand that if the information provided in connection with this Affidavit is determined to be false or misleading, resulting in the child/children named above to not be legally entitled to attendance in Glen Ellyn School District No. 41, the School District will take legal action to recoup valid tuition charges and legal fees.

The Student’s residence within the School District has not been established solely for the purpose of attending the schools thereof. The foregoing facts are sworn to in order to induce the School District to enroll the student in the schools of the District.

I certify that I understand the residency requirements and that I know the penalty for fraudulent registration.

I HEREBY SWEAR THAT THE ANSWERS TO THE FOREGOING QUESTIONS ARE TRUE AND CORRECT AND I UNDERSTAND THAT I MAY BE SUBJECT TO **CRIMINAL** PROSECUTION IF I HAVE KNOWINGLY ANSWERED ANY OF THE QUESTIONS FALSELY.

Signature

Date

NOTE: The School District has a duty under the Illinois School Code to charge tuition for non-resident students it chooses to admit. Further information may be required, and an investigation may be conducted, by the School District to determine the residency of any student, before or after enrollment. However, students who are considered homeless under the Illinois School Code must be enrolled immediately.

STATE OF ILLINOIS)
) SS.
COUNTY OF DUPAGE)

I do hereby certify that on the _____ day of _____, 20____, _____ did appear before me and upon first being duly sworn, did state on oath that the answers to the questions on the foregoing document were true and correct to the knowledge of the Affiant.

Notary Public

**SCHOOL DISTRICT 41/NEW STUDENT ENROLLMENT FORM
(TO BE COMPLETED BY THE PERSON CLAIMING CUSTODY OF THE
STUDENT AND WITH WHOM THE STUDENT LIVES IN THE SCHOOL DISTRICT)**

Generally, Illinois law provides that the residence of a student is deemed to be the same as the residence of the person who has legal custody of the student and permits only students who are residents of the School District to enroll and attend on a tuition-free basis. The person claiming custody must also reside in the District. To assist the District in determining residency and legal custody, this form must be completed. The District may investigate the residency of any student before or after enrollment and require the involved persons to provide additional information to be considered by the District in determining residency. Enrollment is not completed, and attendance will usually not be permitted, until all residency issues are resolved.

I. Identifying Information: (PLEASE PRINT)

Student:	Person Claiming Custody:	Person Enrolling Student:
_____	_____	_____
[Name]	[Name]	[Name]
_____	_____	_____
[Address]	[Address]	[Address]
_____	_____	_____
[Telephone Number]	[Telephone Number]	[Telephone Number]
_____	_____	_____
	[Relationship to Student]	[Relationship to Student]

II. Residency of Person with Whom Student Lives and Who Claims Custody of the Student:

As initial proof of residency, the person with whom the student lives in the District and who claims custody of the student must attach to this Form at least one document from Category A and at least two documents from Category B, all of which must be acceptable to the District. If the person enrolling the student claims the student is (1) homeless, or (2) attending school in the student's former district upon the determination of the Department of Children and Family Services, only the appropriate line in Category C must be checked.

Category A (CHECK AND ATTACH AT LEAST ONE OF THE FOLLOWING DOCUMENTS:)

- _____ The most recent real estate tax bill for my residence showing me as the taxpayer
- _____ Signed lease for my residence
- _____ A closing statement for the purchase of my residence
- _____ A notarized letter from the owner of my residence stating that I reside at that residence and the duration of my residence. (E-3)

Category B (CHECK AND ATTACH AT LEAST TWO OF THE FOLLOWING DOCUMENTS:)

- _____ Driver's license
 - _____ Utility or cable bill
 - _____ Public Aid card
 - _____ Home/apartment insurance certificate
 - _____ Automobile registration - State of Illinois
 - _____ Receipt for city vehicle sticker
 - _____ Other (please describe below)
- _____
- _____

Category C None of the documents in Categories A or B above are applicable because:

- _____ 1. The student is homeless and eligible for enrollment under the Illinois Education for Homeless Children Act.
- _____ 2. The student is enrolling based on the determination of the Department of Children and Family Services (DCFS).
- _____ 3. Residency will be established within 30 calendar days.

NOTE: If you checked 2 above, attach evidence of DCFS determination. If you checked 3 above, attach a real estate contract, lease or closing statement.

III. Custody: (CHECK AS MANY OF THE FOLLOWING AS ARE APPLICABLE.)

- _____ 1. I am the natural or adoptive parent of the student.
- _____ 2. The student lives with me on a full-time basis.
- _____ 3. I provide the student with a regular nighttime place to sleep. ("Regular" means virtually full-time, including most weekends, holidays, and school vacation periods.)
- _____ 4. The student is a special education student.
- _____ 5. The student is a foreign exchange student.
- _____ 6. The student is at least 18 years old.
- _____ 7. I have a court order giving me custody or guardianship of the student.
- _____ 8. I am a caretaker relative of the student receiving aid for the student from the Illinois Department of Public Aid.
- _____ 9. I am a foster parent of the student who was placed with me by the Illinois Department of Children and Family Services.
- _____ 10. I am a representative of a child care facility with which the student has been placed by the Illinois Department of Children and Family Services.
- _____ 11. The student is under 18 years of age but has been emancipated by court order or marriage.
- _____ 12. I have been appointed a short-term guardian of the student.

NOTE: If you are not the natural or adoptive parent with legal custody of the student, state the reason(s) the student is living with you:

NOTE: If you checked any of 7 through 12 above, attach a copy of the court order, marriage certificate, transfer of guardianship, evidence of receipt of public aid for the student or DCFS documents as appropriate.

IV. Warning and Affirmation:

Illinois law has made it a crime, punishable by imprisonment and fine, to knowingly or willfully present any false information regarding the residency of a student for purposes of enabling that student to attend on a tuition-free basis or to knowingly enroll or attempt to enroll a student on a tuition-free basis when the student is known to be a non-resident of the District. The District will seek prosecution to the full extent of the law of any person who the District believes has committed any residency-related crime. Additionally, a civil lawsuit may be initiated by the District.

I affirm that I am a resident of this District and that the information presented in this Affidavit and in connection with any investigation of my residency or the residency of the student is true, complete and accurate.

Signature of the Person Claiming Custody of the Student
and With Whom the Student Lives in the School District

Dated: _____

Subscribed and Sworn to before me this _____ day
of _____, 200__.

Notary Public

STUDENT RESIDENCY

Exhibit – Letter of Residence from Landlord in Lieu of Lease

I, _____, hereby state that I live at _____
landlord *street address*

_____, _____, _____, _____, I
city *state* *zip code* *telephone*

am the landlord of the building located _____
street address

in the village or city of _____, I verify that _____
city *parent/guardian*

and _____ reside at _____
student(s) *street address*

within Glen Ellyn School District 41.

Number of Rooms: _____ Number of Bedrooms: _____

Total number of persons living in the unit: _____

Name of landlord (printed) Name of landlord (signature)

Date: _____

STATE OF ILLINOIS)
) SS.
COUNTY OF DUPAGE)

I do hereby certify that on the _____ day of _____, 20____, _____ did appear before me and upon first being duly sworn, did state on oath that the answers to the questions on the foregoing document were true and correct to the knowledge of the Affiant.

Notary Public

Students

Attendance and Truancy ¹

Definitions ²

Truant - A “truant” is a child subject to compulsory school attendance and who is absent without valid cause from such attendance for a school day or portion thereof.

Valid cause for absence - A child may be absent from school because of illness, observance of a religious holiday, death in the immediate family, family emergency, situations beyond the student’s control as determined by the Building Principal or such other circumstances that cause reasonable concern to the parent/guardian for the student’s safety or health.

Chronic or habitual truant - A “chronic or habitual truant” is a child who is subject to compulsory school attendance and who is absent without valid cause from such attendance for 10 percent or more of the previous 180 regular attendance days.

Truant minor - A child to whom supportive services, including prevention, diagnostic, intervention and remedial services, alternative programs, and other school and community resources have been provided and have failed to result in the cessation of chronic truancy or have been offered and refused.

Compulsory School Attendance

Whoever has custody or control of a child between the ages of 7 and 17 years of age (unless the child has graduated from high school) must cause the child to attend the District school wherein the child is assigned, except as provided herein or by State law. Subject to specific requirements in State law, the following children are not required to attend public school: (1) any child attending a private school (including a home school) or parochial school, (2) any child who is physically or mentally unable to attend school (including a pregnant student suffering medical complications as certified by her physician), (3) any child lawfully and necessarily employed, (4) any child over 12 and under 14 years of age while in confirmation classes, (5) any child absent because his or her religion forbids secular activity on a particular day, and (6) any child 16 years of age or older who is employed and is enrolled in a graduation incentives program. ³

Truancy

The Superintendent or designee shall develop diagnostic procedures for identifying the cause(s) of unexcused student absenteeism. ⁴ The diagnostic procedures include, but are not limited to, interviews with the student, his or her parent(s)/guardian(s), and any school official(s) or other people who may have information.

¹ State law requires some of the subject matter contained in this sample policy to be covered by policy and controls this policy’s content.

² The policy’s definitions are from 105 ILCS 5/26-2a.

³ The age requirements are in 105 ILCS 5/26-1, as amended by P.A. 93-858. Each of these exceptions is specifically included in the statute, except the reference to “home school.” See policy 7:40, *Nonpublic School Students, Including Parochial and Home-Schooled Students*, regarding assigning students who enroll from a non-public school.

Home instruction, correspondence courses, or other instruction may be provided to a pregnant student: (1) before the birth of the child when the student’s physician has indicated, in writing, that the student is medically unable to attend regular classroom instruction, and (2) for up to 3 months following the child’s birth or a miscarriage. 105 ILCS 5/26-1(2) and 5/10-22.6a.

⁴ Each district must have a policy describing diagnostic procedures to identify the cause(s) of absenteeism and supportive services and available resources for truant and chronic truant (105 ILCS 5/26-13; 23 Ill.Admin.Code §1.290(c).

The following supportive services may be offered to truant or chronically truant students: **5** parent-teacher conferences, student and/or family counseling, or information about community agency services.

Any 16 or 17 year old resident may, upon providing documentation of dropout status for the previous 6 months, participate in the District's various programs and resources for truants. **6**

The Superintendent or designee will determine if a student is a truant, chronic or habitual truant, or a truant minor. If truancy continues after supportive services have been offered, the Superintendent or designee may request the resources of outside agencies, such as the juvenile officer of the local police department or the truant office of the appropriate Regional Office of Education.

No punitive action, including out-of-school suspensions, expulsions, or court action, shall be taken against a chronic truant for his or her truancy unless available supportive services and other school resources have been provided to the student. **7**

Absence Notification **8**

A student's parent(s)/guardian(s) must authorize all absences and notify the school in advance or at the time of the child's absence. If a student is absent without prior authorization the Building Principal or designee shall make a reasonable effort to notify the parent(s)/guardian(s) of the child's absence within 2 hours after the first class by telephoning the numbers provided. **9**

Student Employment

The Superintendent shall develop procedures for excusing from attendance those students necessarily and lawfully employed. **10**

LEGAL REF.: 105 ILCS 5/26-1, 5/26-2a, 5/26-3b, 5/26-9, 5/26-12, 5/26-13, and 5/26-15.
Hamer v. Board of Education, 383 N.E.2d 231 (2nd Dist. 1978).

CROSS REF.: 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School), 6:150 (Home and Hospital Instruction), 7:10 (Equal Educational Opportunities), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:80 (Release Time for Religious Instruction/Observance), 7:190 (Student Discipline)

5 23 Ill.Admin.Code. §1.290(c). The School Code references to dropout prevention include: 105 ILCS 5/26-3a (regional superintendent activities and annual report); 105 ILCS 5/10-20.25a (annual report by school boards); and 105 ILCS 5/1A-4(E) (State Board of Education report).

6 105 ILCS 5/26-14.

7 105 ILCS 5/26-12; 23 Ill.Admin.Code. §1.290(c).

8 These notifications are required only for children enrolled in kindergarten through 8th grade (105 ILCS 5/26-3b).

9 Required by 105 ILCS 5/26-3b. This notification's requirement is met whether or not there is any answer at the telephone number(s) given or if the notification is given to a household member of the child's parent(s)/guardian(s), provided the member is at least 10 years of age.

10 State law allows the county superintendent or district superintendent to excuse a student who is necessarily and legally employed after receiving the board's certification of facts and recommendation (105 ILCS 5/26-1).

Sample criteria might include: (1) the student has a last period study hall, (2) written permission is obtained from the student's parent/guardian, (3) written verification of employment is obtained from the student's employer, (4) student has obtained and provided evidence of a valid work permit, (5) on days when the student is not employed, the student is required to attend the entire school day, or (6) any infraction of the policy may lead to the revocation of the early dismissal privilege.

Students

Release Time for Religious Instruction/Observance ¹

Religious Observance

A student shall be released from school, as an excused absence, for the purpose of observing a religious holiday. ² The parent(s)/guardian(s) must give written notice to the District 5 days before the student's anticipated absence. ³

The parent(s)/guardian(s)'s written notification of the student's anticipated absence shall satisfy the District's requirement for a written excuse when the student returns to school.

The Superintendent shall develop and distribute to teachers appropriate procedures regarding student absences for a religious holiday which include a list of religious holidays on which students shall be excused from attendance, how teachers are notified of a student's impending absence, and the State law requirement that teachers provide the student an equivalent opportunity to make up any examination, study, or work requirement. ⁴

Religious Instruction ⁵

A student shall be released from school for a day or portion of a day for the purpose of religious instruction. A letter, requesting the student's absence and written by the student's parent(s)/guardian(s), must be given to the Building Principal at least 5 days before the day the student is to be absent.

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

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

¹ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content.

² 105 ILCS 5/26-1(5) requires boards to adopt a policy on student absences for religious holidays. See also 105 ILCS 5/26-2b.

³ Five days is the most prior notice that can be required (105 ILCS 5/26-1(5)).

⁴ 105 ILCS 5/26-2b.

⁵ According to the United States Supreme Court, a release time policy does not violate the Establishment Clause; it only accommodates a program of outside religious instruction. Zorach v. Clauson, 72 S.Ct. 679 (1952).

Students

Release During School Hours

Teachers may not release students from school at other than the regular dismissal times without prior approval of the Building Principal. No student will be released from school to any person other than the custodial parent(s)/guardian(s) without the written or oral permission of the custodial parent(s)/guardian(s).

Students

Health and Dental Examinations, Immunizations, and Exclusion of Students ¹

Required Health Examinations and Immunizations

A student's parent(s)/guardian(s) shall present proof that the student received a health examination and the immunizations against, and screenings for, preventable communicable diseases, as required by the Illinois Department of Public Health, within one year prior to:

1. Entering kindergarten or the first grade;
2. Entering the fifth; and
3. Enrolling in an Illinois school, regardless of the student's grade (including nursery school, special education, headstart programs operated by elementary or secondary schools, and students transferring into Illinois from out-of-state or out-of-country). ²

As required by the Illinois Department of Public Health, a diabetes screening must be included as a required part of each health examination; diabetes testing is not required. ³ The required health examinations must be performed by a physician licensed to practice medicine in all of its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician authorizing the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the performance of health examinations by a supervising physician. ⁴

Parents/guardians are encouraged to have their children undergo a vision examination whenever health examinations are required. ⁵

Unless the student is homeless, failure to comply with the above requirements by October 15 of the current school year will result in the student's exclusion from school until the required health forms are presented to the District. If a medical reason prevents a student from receiving a required immunization by October 15, the student must present, by October 15, an immunization schedule and a statement of the medical reasons causing the delay. The schedule and statement of medical reasons must be signed by the physician, advanced practice nurse, physician assistant, or local health department responsible for administering the immunizations. All new students who are first-time registrants shall have 30 days following registration to comply with the health examination and immunization regulations. ⁶

¹ State or federal law controls this policy's content. The policy restates 105 ILCS 5/27-8.1. Immunization requirements are found in 77 Ill.Admin.Code §§665.100 and 665.240. A Tuberculosis skin test is required if the student lives in an area designated by the Dept. of Public Health as having a high incidence of Tuberculosis.

² 77 Ill.Admin.Code §665.140. If grade levels are not assigned, examinations must be completed within one year prior to the school year in which the child reaches the ages of 5, 10, and 15 (Id.).

³ 105 ILCS 5/27-8.1, as amended by P.A. 93-946, eff. 7-1-05. The Ill. Department. of Public Health's implementing rules, when final, will be published at 77 Ill.Admin.Code §665.700 et seq.

⁴ Id.

⁵ 105 ILCS 5/27-8.1, as amended by P.A. 93-946, encourages parents/guardians to have their children undergo vision examinations during their required health examinations. The Dept. of Public Health must require that individuals conducting vision screening give a child's parent/guardian a written notification stating:

Vision screening is not a substitute for a complete eye and vision evaluation by an eye doctor.
Your child is not required to undergo this vision screening if an optometrist or ophthalmologist has completed and signed a report form indicating that an examination has been administered within the previous 12 months.

⁶ 105 ILCS 5/27-8.1(5) requires compliance by October 15 unless a district establishes an earlier date with 60 days notice. During a student's exclusion from school for non-compliance with this policy, the student's parents/guardians shall be considered in violation of 105 ILCS 5/26-1 and subject to any penalty imposed by 105 ILCS 5/26-10, as provided in 105 ILCS 5/27-8.1.

Parents/guardians of children between the ages of 6 months and 6 years must provide a statement from a physician that their child was “risk-assessed” or screened for lead poisoning in accordance with State law. ⁷

Dental Examination ⁸

All children in kindergarten and the second and sixth grades must present proof of having been examined by a licensed dentist before May 15 of the current school year in accordance with rules adopted by the Illinois Department of Public Health.

If a child in the second or sixth grade fails to present proof by May 15, the school may hold the child’s report card until the child presents proof: (1) of a completed dental examination, or (2) that a dental examination will take place within 60 days after May 15. The Superintendent or designee shall ensure that parents/guardians are notified of this dental examination requirement at least 60 days before May 15 of each school year.

Exemptions ⁹

In accordance with rules adopted by the Illinois Department of Public Health, a student will be exempted from:

1. This policy’s requirements on religious or medical grounds if the student’s parents/guardians present to the Superintendent a signed statement explaining the objection,
2. The health examination or immunization requirements on medical grounds if a physician provides written verification, or
3. The dental examination requirement if the student’s parents/guardians show an undue burden or a lack of access to a dentist.

Homeless Child

Any homeless child shall be immediately admitted, even if the child or child’s parent/guardian is unable to produce immunization and health records normally required for enrollment. ¹⁰ Board policy 6:140, *Education of Homeless Children*, governs the enrollment of homeless children.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.
105 ILCS 5/27-8.1.
410 ILCS 45/7.1.
77 Ill.Admin.Code Part 665.

CROSS REF.: 6:140 (Education of Homeless Children), 6:180 (Extended Instructional Programs)

⁷ Required by 105 ILCS 45/1-20 and 410 ILCS 45/7.1. Physicians are required to screen children over 6 years of age for lead poisoning when, in the physician’s judgment, a child is at risk (410 ILCS 45/6.2, as amended by P.A. 93-104).

⁸ Required by 105 ILCS 5/27-8.1(1.5), as amended by P.A. 93-946, eff. 7-1-05. The Ill. Department of Public Health’s implementing rules, when final, will be published at 77 Ill.Admin.Code §665.410 et seq.

⁹ Id.

¹⁰ Required by the McKinney Homeless Assistance Act, 42 U.S.C. §1142(g)(3)(C)(i).

Students

Student Rights and Responsibilities ¹

All students are entitled to enjoy the rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting. ² These rights include the right to voluntarily engage in individually initiated, non-disruptive prayer that, consistent with the Free Exercise and Establishment Clauses of the U.S. and Illinois Constitutions, is not sponsored, promoted, or endorsed in any manner by the school or any school employee. ³ Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate District policies or rules will be subject to disciplinary measures.

LEGAL REF.: 20 U.S.C. § 7904.
105 ILCS 20/5.
23 Ill. Admin. Code § 1.210.
Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969).

CROSS REF.: 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:160 (Student Appearance), 7:190 (Student Discipline)

¹ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content.

² All districts must have a policy(s) on student rights and responsibilities (23 Ill. Admin. Code § 1.210). In 1969 the U.S. Supreme Court changed the relationship between schools and students by finding that students "do not shed their constitutional rights at the schoolhouse door." Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969).

³ 105 ILCS 20/5, as added by P.A. 832. In addition, the No Child Left Behind Act of 2001 requires districts to certify that "no [district] policy... prevents, or otherwise denies participation in, constitutionally protected prayer in both public elementary and secondary schools," (20 U.S.C. § 7904). The State provides certification instructions and the U.S. Dept. of Education provides guidance on constitutionally protected prayer in public schools. Id.

Students

Search and Seizure ¹

To maintain order and security in the schools, school authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects. “School authorities” includes school liaison police officers. ²

School Property and Equipment as well as Personal Effects Left There by Students

School authorities may inspect and search school property and equipment owned or controlled by the school (such as lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or the consent of the student. ³ Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there. ⁴ ⁵

The Superintendent may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs. ⁶

Students

School authorities may search a student and/or the student’s personal effects in the student’s possession (such as purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there is a reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the District’s student conduct rules. ⁷ The search itself must be conducted in a manner that is reasonably related to its objectives and not excessively intrusive in light of the student’s age and sex, and the nature of the infraction.

When feasible, the search should be conducted as follows: ⁸

¹ State or federal law controls this policy’s content. This policy concerns an area in which the law is unsettled.

² See footnote 4.

³ 105 ILCS 5/10-22.6.

⁴ Id. The Fourth Amendment protects individuals from searches only when the person has a legitimate expectation of privacy. This paragraph, as well as 105 ILCS 5/10-22.6, attempts to avoid Fourth Amendment protection for personal effects left by students on school property by telling students not to expect privacy in these places or in their personal effects left there. This is an unsettled area of the law and should be reviewed with the district’s attorney.

⁵ Option for high school and unit districts:

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

⁶ 105 ILCS 5/10-22.6. The sample policy may be amended to authorize any school authority to request law enforcement aid.

⁷ 105 ILCS 5/10-22.6. An unsubstantiated tip from a student may serve as the grounds for a search. People v. Pruitt, 662 N.E.2d 540 (Ill. App. 1st 1996).

⁸ These are practical guidelines that will help to ensure that all searches comply with constitutional requirements. State or federal law requires nothing in this paragraph. For an alternative to intrusive pat-down searches and guidelines on strip searches, see Cornfield v. Consolidated High School Dist. No. 230, 991 F.2d 1316 (7th Cir. 1996). There, school officials had reason to believe that a high school student was concealing illegal drugs in his crotch area. Believing a pat down to be excessively intrusive and ineffective at detecting drugs, the school officials required the student to change into his gym clothes in a locked locker room while male school officials observed him. The search was upheld.

A school district may randomly conduct a mass search by using a metal detector. People v. Pruitt, 662 N.E.2d 540 (Ill. App. 1st, 1996). The use of a metal detector must be according to the district’s standards for when and how metal detector searches are to be conducted.

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

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

Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or the District's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities. ⁹

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

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

The U.S. Supreme Court upheld a random drug testing policy for student athletes, reasoning that their decreased expectations of privacy and voluntary participation made the policy reasonable. Vernonia School District 47J v. Acton, 115 S.Ct. 2385 (1995). The circumstances justifying the student-athlete drug searches do not exist for the entire student body; thus, random drug tests of the student body would unlikely survive constitutional scrutiny.

⁹ See 105 ILCS 5/10-22.6.

Students

Agency Department of Children and Family Services (DCFS) and Police Interviews ¹

All requests by the Department of Children and Family Services (DCFS) agency or police officials to interview a student shall be handled according to procedures developed by the Superintendent.

LEGAL REF.: 325 ILCS 5/1 et seq.
705 ILCS 80/1 et seq.

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:190 (Student Discipline)

¹ State or federal law controls this policy's content.

Students

Administrative Procedure — Department of Children and Family Services Agency and Police Interviews

Interviews by Police

1. The Building Principal will check the police officer's credentials and any legal papers such as warrants for arrest, search warrants, or subpoenas to be served.
2. The Building Principal will attempt to contact the student's parent(s)/guardian(s) if possible, and inform them that the student is subject to an interview. In extreme emergency situations, DCFS employees, law enforcement personnel, or treating physicians may, in effecting temporary protective custody, request that the District not notify parents until the child's safety is ensured. The Building Principal should ask that such a request be put in writing. The parent(s)/guardian(s) will be given the opportunity to be present and be represented by legal counsel at their own expense. Interviews of minor students without permission of the parent(s)/guardian(s) is not permitted unless a legal process is presented or in emergency situations.
3. Interviews will be conducted in a private setting. If the parent(s)/guardian(s) are absent, the Building Principal and one other adult witness, selected by the Building Principal, will be present during the interview.
4. Interview proceedings will be documented in writing for inclusion in the student's temporary records.
5. No minor student shall be removed from the school by the police officer without the consent of a parent(s)/guardian(s), except upon service of a valid warrant of arrest or in cases of warrantless temporary protective custody.

Interviews by the Illinois Department of Children and Family Services (DCFS)

1. The Building Principal will check the agent's credentials and any papers pertaining to a legal process.
2. The Building Principal will attempt to contact the student's parent(s)/guardian(s) and inform them that the student is subject to an interview, if appropriate.
3. If the DCFS agent does not want a parent(s)/guardian(s) present or notified during the interview, this stipulation must be in writing and signed by the DCFS agent.
4. Interviews will be conducted in a private setting. If the parent(s)/guardian(s) are absent, the Building Principal and one other adult witness, a member of the District staff, will be present during the interview.
5. The student may be removed from school by the DCFS agent if case circumstances warrant. A local law enforcement agency officer, designated DCFS employee, or a physician treating a child may take or retain temporary protective custody of the child without the consent of the person responsible for the child's welfare, if (1) he or she has reason to believe that the child's circumstances or conditions are such that continuing in his or her place of residence or in the care and custody of the person responsible for the child's welfare, presents an imminent danger to that child's life or health; (2) the person responsible for the child's welfare is unavailable or has been asked and does not consent to the child's removal from his or her custody; and (3) there is not time to apply for a court order under the Juvenile Court Act for temporary custody of the child. The person taking or retaining a child in temporary protective custody shall

immediately make every reasonable effort to notify the person responsible for the child's welfare and shall immediately notify the Department.

6. No District employee may act as a DCFS agent.

LEGAL REF.: 325 ILCS 5/1 et seq.
 705 ILCS 80/1 et seq.

Students

Student Appearance ¹

Student dress and grooming ² must not disrupt the educational process, interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency. Procedures for handling students who dress or groom inappropriately ~~will be developed by the Superintendent and included in the Student Handbook~~ are included in Policy 7:190 Student Discipline. ³

- LEGAL REF.: 105 ILCS 5/10-22.25b.
Oleson by Oleson v. Board of Education, 676 F.Supp. 6 (N.D. Ill. 1987), *aff'd*, 851 F.2d 450 (7th Cir. 1988).
- CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:165 (School Uniform), 7:190 (Student Discipline)

¹ State or federal law controls this policy's content.

² 105 ILCS 5/10-22.25b, as amended by P.A. 89-610, eff. 8-6-96, specifically authorizes boards to adopt a school uniform or dress code policy. A student's dress seldom has sufficient communicative content to warrant First Amendment protection. Although many courts have ruled similarly with respect to grooming (e.g., hair length), the Seventh Circuit, the federal appellate court that governs Illinois, has struck down school regulations governing hair length (See e.g., Boden v. Kahl, 419 F.2d 1034 (1969)). The Supreme Court decision in Tinker v. Des Moines Independent School District, 89 S.Ct. 7 (1969) does *not* apply to student dress. The court stated "the problem posed by the present case does not relate to regulation of the length of skirts or the type of clothing, to hairstyle, or deportment...".

First Amendment protection will be given to a student's dress that is intended to be communicative (e.g., the black arm band used as an anti-war symbol in Tinker, Id.). See Chandler v. McMinnville School Dist., 978 F.2d 524 (9th Cir. 1992) (using First Amendment analysis, the court found that the discipline of students who wore "Do scabs bleed" buttons protesting the district's use of replacement teachers during a strike would be permissible, if the district established that "scab" can be reasonably viewed as insulting and that the buttons were directed at the replacement teachers).

³ A comprehensive Student Handbook can provide notice to parents and students 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.

Students

Vandalism ¹

The Board shall seek restitution from students and their parents/guardians for vandalism or other student acts that cause damage to school property. ²

LEGAL REF.: 740 ILCS 115/1 et seq.

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

¹ State or federal law controls this policy's content.

² The Parental Responsibility Law makes parents/guardians of unemancipated minors, 11 through 18 years of age, liable for actual damages, up to \$20,000, for malicious acts (740 ILCS 115/5 as amended by P.A. 94-130 et seq.).

Students

Student Discipline ¹

Application of Grounds for Disciplinary Action

Students may be suspended or expelled for gross disobedience or misconduct which occurs:

- A. On or within sight of school grounds;
- B. At school-sponsored activities, functions, and/or events;
- C. In connection with student transportation to and from school, school sponsored activities, functions, and/or events;
- D. On public or private property adjacent to school grounds as identified by the Superintendent or the Building Principal as property on which student activities have a reasonable relationship to school; or
- E. At any place when the conduct has a reasonable relationship to school or if the conduct may reasonably be considered to be a threat or attempted intimidation of a staff member, if the conduct causes an interference with school purposes, or the delivery of educational services.

Disciplinary action may also 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 the 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 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. Notifying 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 designee shall ensure that the student is properly supervised.

¹ All districts must have a policy on student discipline, including corporal punishment (105 ILCS 5/10-20.14; 23 Ill. Admin. Code §§1.210 and 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).

11. Detention or Saturday school, provided that the student's parent(s)/guardian(s) have been notified. If transportation agreements 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.

In this policy and/or in school handbooks, consequences are recommended for certain types of misconduct. These consequences will generally be followed, however, in appropriate circumstances, any violation of this policy or school handbook may be considered gross disobedience or misconduct for which a student may be suspended or expelled. Repeated violations, during a course of a student's enrollment in District 41, may also be considered gross disobedience or misconduct for which a student may be suspended or expelled, even though any particular violation by itself may not warrant suspension or expulsion. Finally, any extreme misbehavior may be considered gross disobedience or misconduct for which a student may be suspended or expelled, even if not addressed by this policy or the student handbook.

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.

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

Additional Definitions

- A. "Possession" includes, but is not limited to, having access to an item in a school locker, personal effects, a vehicle, or other place where the item is located. It is not necessary that a student intend to control the item. A student may acquire knowledge of an item visually, by being told about the item, or through other sensory perception. A student's knowledge will be determined based on the surrounding circumstances, not just the student's statements. For example, "forgetting" that an item is in one's locker, personal effects, or vehicle does not constitute lack of knowledge. Also, for example, coming onto school grounds or to a school-sponsored event in a vehicle which the student knows contains an item constitutes possession of that item, even if the vehicle or the item is not the student's. This provision on possession applies to any policy or rule which regulates or prohibits possession of any item, such as weapons or drug paraphernalia, and such substances as tobacco, alcohol, drugs and look-alikes of such items or substances.
- B. A "look-alike" is any substance or item which is not, but reasonably appears to be, or is represented to be, the real substance or item. Examples include:
 1. A toy gun which is very difficult to distinguish, except upon close examination, from an actual gun;

2. A green leafy plant material which is not, but is claimed, believed or intended to appear to be, marijuana; and
3. A white powdered substance which is not, but is claimed, believed or intended to appear to be a toxic chemical or biological agent.

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 at least one calendar year, but no more than 2 calendar years. ² The Superintendent may modify the expulsion period and the Board may modify the Superintendent's determination, on a case-by-case basis. ³ 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. ⁴ 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. ⁵ 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. ⁶

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. ⁷ Upon receiving such

² School 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.).

³ 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. 3rd Dist., 1993).

⁴ 105 ILCS 5/10-22.6.

⁵ 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.

⁶ Optional.

⁷ 105 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.

a report, the Building Principal or designee shall immediately notify the local law enforcement agency, State Police, and the student's parent(s)/guardian(s). **8**

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(s)/guardian(s) of a student who engages in aggressive behavior are notified of the incident. **9** 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. **10** Teachers may remove students from a classroom for disruptive behavior. **11**

The Superintendent, Building Principal or, Assistant 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. **12** The School Board may suspend a student from riding the bus in excess of 10 days for safety reasons. **13**

Student Handbook

The Superintendent, with input from the parent-teacher advisory committee, **14** shall prepare disciplinary rules implementing the District's disciplinary policies. These disciplinary rules shall be presented to the Board for its review and approval.

8 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.

9 See footnote 5.

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

11 Id.

12 Required by 105 ILCS 5/10-22.6.

13 Id.

14 The school 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.

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

Prohibited Student Conduct and Recommended Sanctions for Misconduct

The school administration is authorized to discipline students for gross disobedience or misconduct, including, but not limited to:

1. Possession, transfer, sale or use of a weapon or hazardous objects. For the purposes of this section, weapon includes, but is not limited to: guns, knives, explosive devices, any other item which is typically used to cause bodily harm; and any other item defined by law to be a weapon; items such as baseball bats, pipes, bottles, locks, sticks, compasses, laser pointers, pencils and pens if used, or attempted to be used, to cause bodily harm; and look-alike weapons.

Disciplinary Action:

- *Minimum Sanction - Suspension and possible police involvement*
- *Maximum Sanction - Up to 10 day suspension and possible recommendation for expulsion*

2. Aggressive Behavior. Using any form or type of aggressive behavior that does, or is reasonably likely to do, physical or psychological harm to someone else and/or urging other students to engage in such conduct. Prohibited aggressive behavior includes fighting, assault, or any other use of violence, force, noise, coercion, threats, intimidation, fear, bullying or other comparable conduct. Bullying and/or intimidation of others includes, but is not limited to, any aggressive or negative gesture, or written, verbal, or physical act that places another student in reasonable fear of harm to his or her person or property, or that has the effect of insulting or demeaning any student in such a way as to disrupt or interfere with the school's educational mission, the education, or well-being of any student. Bullying or intimidation most often will occur when a student asserts physical or psychological power over, or is cruel to, another student perceived to be weaker. Such behavior may include, but is not limited to: pushing, hitting, threatening, name-calling, or other physical or verbal conduct of a belittling or browbeating nature.

Disciplinary Action

- *Minimum Sanction – Conference, counseling, detention*
- *Maximum Sanction – Up to 10-day suspension, with possible recommendation for expulsion and police involvement.*

3. Possession, sale, transfer or use of tobacco, matches, lighters, or any other tobacco paraphernalia.

Disciplinary Action

- *Minimum Sanction – Suspension and possible police involvement*
- *Maximum Sanction – Up to a 5-day suspension*

4. Paraphernalia: Possession, sales, purchase, use, transfer or arranging to transfer any paraphernalia which is used or customarily intended for use in the administration of a substance referenced in #3 above.

Disciplinary Action

- *Minimum Sanction – Suspension and possible police involvement*
 - *Maximum Sanction – 10-day suspension with the recommendation for expulsion and possible police involvement.*
5. Possession, sale, purchase, transfer, arranging to transfer, use, or being under the influence of:
 - A. Alcoholic beverages or intoxicants;
 - B. Drugs not properly prescribed;
 - C. Illegal drugs or controlled substances, including marijuana;
 - D. “look-alike” drugs or substances;
 - E. any other substance not prescribed for the student that is used or typically intended to be used to achieve a high or altered physical or mental state.

The prohibition on use of alcohol, intoxicants, drugs, etc. is intended to prohibit students from exhibiting any physical or mental effects reasonably attributable to consumption of such substances. For example, a student may not be at a school-sponsored event with alcohol on his or her breath, even if the alcohol is not consumed at the event. Being under the influence includes, but is not limited to, the emission of the odor of any of these substances, such as having alcohol on the breath, or any impairment of normal functioning, such as slurred speech, inability to walk properly, or dilated pupils.

Disciplinary Action

- *Minimum Sanction – Suspension and possible police involvement*
 - *Maximum Sanction – Up to a 5-day suspension*
6. Theft of, vandalism to, or trespassing on school property or the property of school personnel. Trespassing includes, but is not limited to, being in a school building, or in an area of a school building, without specific permission from a teacher or administrator, when a building or area is generally closed to the student. Additionally, students and their parents will be held financially accountable for theft of or vandalism to, school property.

Disciplinary Action

- *Minimum Sanction – Restitution, conference with student and possible police involvement*
 - *Maximum Sanction – 10-day suspension and possible police involvement*
7. Theft of or vandalism to the property of other students.

Disciplinary Action

- *Minimum Sanction – Restitution, conference with student and possible police involvement*
- *Maximum Sanction – 10-day suspension and possible police involvement*

- 8 Insubordination or disrespect to school personnel, interference with school personnel in the performance of their duties or refusal to comply with reasonable instructions of school personnel.

Disciplinary Action

- *Minimum Sanction – Reprimand and/or detention*
- *Maximum Sanction – Up to 5 days suspension*

9. Excessive tardiness or unexcused absences, unless the student is considered a chronic or habitual truant under Section 26-2a of the Illinois School Code. Policy sets forth the appropriate interventions for such students, and it shall apply in the place of the provisions set forth in this policy when a student meets the criteria for designation as a chronic or habitual truant.

Disciplinary Action

- *Minimum Sanction – Detention, conference with parents, contact Project VISA (Value in School Attendance)*
- *Maximum Sanction – 1 day suspension*

10. Dress or appearance, which present a health or safety hazard, disrupts the educational process or which is prohibited by school dress requirements. Articles of clothing are to be worn in the fashion for which they were designed. Hats or other headgear are not to be worn inside school buildings.

Disciplinary Action

- *Minimum Sanction – Student will change into another outfit, conference with student*
- *Maximum Sanction – 1 day suspension*

11. Fire: Including, but not limited to, setting false fire alarms, intentionally setting or attempting to set fires on school property, and unauthorized use of a fire extinguisher.

Disciplinary Action

- *Minimum Sanction – Restitution, suspension, police involvement*
- *Maximum Sanction – 10 day suspension, recommendation for expulsion, police involvement*

12. Bombs: Setting or attempting to set of bombs or other explosive devices, making any bomb threat or initiating a false report of a bomb.

Disciplinary Action

- *Minimum Sanction – Restitution, 5 day suspension, police involvement*
- *Maximum Sanction – 10 day suspension, recommendation for expulsion, police involvement*

13. Explosives: Possession, sale, or use of fireworks, explosives, or other flammable substances not authorized by proper school personnel.

Disciplinary Action

- *Minimum Sanction – Restitution, 5 day suspension, police involvement*
- *Maximum Sanction – 10 day suspension, recommendation for expulsion, police involvement*

14. Terrorist-Type Activities: Any act, threat, hoax or prank of a terrorist nature, especially involving weapons, explosives, biological agents, other dangerous materials or look-alikes of any such items.

Disciplinary Action

- *Minimum Sanction – Restitution, 5 day suspension, police involvement*
- *Maximum Sanction – 10 day suspension, recommendation for expulsion, police involvement*

15. Expression, written or oral, which is slanderous, libelous, obscene, vulgar, profane, or advocates a violation of law or school rule.

Disciplinary Action

- *Minimum Sanction – Conference with student, detention*
- *Maximum Sanction – Up to 3 days suspension*

16. Violation of law or repeated violation of school rule of the district and/or school attended.

Disciplinary Action

- *Minimum Sanction – Conference with student, possible police involvement*
- *Maximum Sanction – 10 day suspension, recommendation for expulsion, possible police involvement*

17. Secret Societies: Soliciting membership in, promising to join, attempting to join, or joining a secret society or unauthorized club.

Disciplinary Action

- *Minimum Sanction – Conference with student, detention*
- *Maximum Sanction – Up to 3 days suspension*

18. Gang Activity: A “gang” means any ongoing organization, association, or group of two or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts or acts in violation of school rules, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in, or have engaged in, a pattern of criminal gang activity or activity

relating to the violation of school rules. Gang or cult activity also includes, but is not limited to:

- a. Wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblem, badge, symbol, sign, hat or other item which evidences membership or affiliation with any gang or cult.
- b. Committing any act or using any communication, either verbal or nonverbal, such as gestures or handshakes, showing membership or affiliation in a gang or cult.
- c. Drawing or possessing gang or cult-related graffiti or distributing gang or cult related literature.
- d. Recruiting gang or cult members.
- e. Mimicking gang activity.
- f. Engaging in any other activity prohibited by District or school rules in furtherance of the gang or cult.

Disciplinary Action

- *Minimum Sanction – Suspension up to 5 days, possible police involvement*
- *Maximum Sanction – 10 day suspension, recommendation for expulsion, possible police involvement*

19. Gambling: Gambling, playing cards or contests for money or personal possessions.

Disciplinary Action

- *Minimum Sanction – Confiscation of items, possible police involvement*
- *Maximum Sanction – Up to 3 day suspension, possible police intervention*

20. Academic cheating, plagiarism, tampering with academic records, altering or changing official school documents.

Disciplinary Action

- *Minimum Sanction – Conference with student*
- *Maximum Sanction – Up to 3 day suspension*

21. Harassment: Sexual or other harassment, as defined by Board Policy 7:20.

22. Improper or unauthorized use of Technology or the Internet, as set forth in Board Policy 6:235.

23. Board Policy 7:301: Attendance at Extracurricular Activities

Disciplinary Action

- *Minimum Sanction – Immediate removal from the activity*
- *Maximum Sanction – Up to 3 day suspension and/or banned from all future school functions, criminal trespass charges may be filed*

24. Electronic Communication Devices: Using or possessing electronic communication devices, unless authorized in accordance with Board Administrative Procedure 7:190-AP5.

Disciplinary Action

- *Minimum Sanction – Confiscation of item*
- *Maximum Sanction – Up to 5 day suspension*

25. Public Displays of Affection: No physical contact will be permitted at school, on school grounds, or during school functions.

Disciplinary Action

- *Minimum Sanction – Detention or parent conference*
- *Maximum Sanction – 1 day suspension*

26. Coercion: Extortion, blackmail, or coercion by force or threat of force.

Disciplinary Action

- *Minimum Sanction – Parent conference, counseling, detention*
- *Maximum Sanction – Up to 10-day suspension, with possible recommendation for expulsion and police involvement.*

27. Hazing: “Hazing” means any act of aggressive behavior, as referenced in number 2 above, directed against a student or participating in or submitting to such behavior for the purpose of being initiated into, affiliated with, holding office in, or maintaining membership in any organization, club, activity, event, or athletic team, whose members or participants include other students.

Disciplinary Action

- *Minimum Sanction – Conference, counseling, detention*
- *Maximum Sanction – Up to 10-day suspension, with possible recommendation for expulsion and police involvement.*

28. Invasion of Privacy: Any invasion of the privacy of another, including but not limited to using a cellular telephone, personal digital assistant (PDA) or any other electronic or photographic device to take and/or transmit pictures of another without that person’s consent. This prohibition does not include images taken where the person has no reasonable expectation of privacy, such as a spectator at, or participant in, an extracurricular event.

Disciplinary Action

- *Minimum Sanction – Conference with student, detention*
- *Maximum Sanction – Up to 3 days suspension*

29. Laser Pointers: Use or possession of a laser pointer unless under a staff member’s supervision in the context of instruction.

Disciplinary Action

- *Minimum Sanction – Reprimand and/or detention and confiscation of item.*
- *Maximum Sanction – Up to 5 days suspension*

30. Distribution of Materials: The violation of the time, place and manner in which the Building Principal designates that written or printed materials may be distributed by students in the school building, on school grounds, or at a school-related activity.

Disciplinary Action

- *Minimum Sanction – Reprimand and/or detention*
- *Maximum Sanction – Up to 5 days suspension*

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, 5/10-20.35, 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 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), 7:200 (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)

Students

Administrative Procedure - Guidelines for Reciprocal Reporting of Criminal Offenses Committed by Students ^{1 2}

1. The School Principal and/or the Police Department School Liaison officer will arrange meetings as needed between school officials and individuals representing law enforcement to share information. ³
2. ~~The Police Department School Liaison Officer and the School Officials~~ Principal will promptly verbally report to the Police Department or School Liaison Officer student activity that involves or is suspected to involve ~~to each other the following activities when committed by a student enrolled in the Principal's school:~~ ⁴
 - ~~Unlawful use of weapons under Section 24-1 of the Criminal Code of 1961~~
 - ~~A violation of the Illinois Controlled Substances Act~~
 - ~~A violation of the Cannabis Control Act~~
 - ~~A forcible felony as defined in Section 2-8 of the Criminal Code of 1961~~
 - Criminal gang activity;
 - Weapons such as guns and knives, explosives, impact devices or any item used as a weapon;
 - Sale of drugs or other intoxicants;
 - Possession of significant quantities of drugs or other intoxicants;
 - Fights or other violent activity which might reasonably carry over into the community;
 - Abuse, neglect, lock-out and runaway situations;

¹ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled.

² The district's parent-teacher advisory committee must, in cooperation with local law enforcement agencies, develop guidelines for reciprocal reporting of criminal offenses committed by students (105 ILCS 5/10-20.14).

The parent-teacher advisory committee is a school board committee and, thus, is subject to the notice and conduct of meetings provisions of the Open Meetings Act (105 ILCS 120/1.02).

³ This paragraph is optional. While meetings are not required by State law, they may enhance a cooperative relationship between the school and local law enforcement. The following people should be invited to these meetings: dean, principal, guidance counselor, State's Attorney, juvenile probation officer, and police department school liaison officer.

⁴ School officials should be sensitive to federal and State laws regarding student records (Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, 34 C.F.R. Part 99; Illinois School Student Records Act, 105 ILCS 10/1 *et seq.*). Law enforcement records relating to a minor who has been arrested or taken into custody before his or her 17th birthday must be transmitted to the appropriate school official by a local law enforcement agency under a reciprocal reporting system between the school district and the local law enforcement agency under 105 ILCS 5/10-20.14 (705 ILCS 405/1-7). To whom the reports should be made is within the discretion of the school district and local law enforcement.

State law requires a reciprocal reporting system "regarding criminal offenses" (105 ILCS 5/10-20.14). Under a reciprocal reporting agreement, law enforcement may disclose juvenile arrest records for the offenses listed in the guidelines (705 ILCS 405/1-7). Alternatively, the guidelines may identify significant criminal activity, e.g.:

- All cases involving illegal or controlled substances
- All cases involving weapons of any type
- All cases involving gang activity
- All cases involving a serious crime or felony
- Any other case for which the reporting may be beneficial

This list may be modified after the district's parent-teacher advisory committee meets with local law enforcement.

- Other activities involving students which threaten the safety of students or community members on or off school property; or
- Any state or federal crime occurring or which has occurred on school property or at a school event which might reasonably carry over into the community.

- a. The reporter should identify the student by name and describe the circumstances of the alleged criminal activity. Local law enforcement officials must certify in writing that the information received from the school will not be disclosed to any other party except as provided by State law without the prior written consent of the student's parent(s)/guardian(s). **5**
- b. The report should be made as soon as possible after the School Official ~~Liaison Officer or Principal~~ reasonably suspects that a student is involved in such activity. **6**
- c. The ~~School Principal's~~ School Official's duty to report such activity arises only when the activity occurs on school property or off school grounds at a school-related function. **7**

3. Police officials will report to school officials the same type of information referenced in Section 2 above within the same time frames, where the activity by students or others might reasonably carry over onto school grounds or school activities.

4. As provided by Section 1-7(A)(8) of the Juvenile Court Act, police officials will also report to school officials the following offenses or suspected offenses within the time frames referenced in Section 2 above with respect to a minor enrolled in one of the School District's schools who has been taken into custody or arrested:

- Unlawful use of weapons under Section 24-1 of the Criminal Code;
- A violation of the Illinois Controlled Substances Act;
- A violation of the Cannabis Control Act; or
- A forcible felony as defined in Section 2-8 of the Criminal Code, including murder, criminal sexual assault, robbery, burglary, arson, kidnapping, aggravated battery resulting in great bodily harm or permanent disability or disfigurement, and any other felony that involves the use or threat of physical force or violence.

5. As required by Section 22-20 of the Illinois School Code, police officials shall report to school officials whenever a student is detained for proceedings under the Juvenile Court Act or for a criminal offense or violation of a City ordinance. The report shall include the basis for the detention, the circumstances surrounding the detention, and the status of the proceedings. Police officials shall periodically update the report as significant stages of the proceedings occur and with the disposition of the matter. All such reports shall be kept separate from the student's official school record.

~~3.6.~~ The State's Attorney shall provide to the School Principal a copy of any delinquency dispositional order where the crime would be a felony if committed by an adult, or was a Class A misdemeanor in violation of Section 24-1, 24-3, 24-3.1, or 24.5 of the Criminal Code (weapons offenses). **8**

5 School officials should be sensitive to State and federal laws regarding student records (Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R. Part 99; Illinois School Student Records Act, 105 ILCS 10/1 et seq.). The "written certification" requirement comes from 20 U.S.C. § 1232g(b)(1)(E).

6 A report's timing is not specified in State law.

7 This limitation is implicit in State law.

8 Required by 705 ILCS 405/1-8(F).

~~4.7. Local law enforcement shall provide a copy of all arrest records, and the State's Attorney shall provide a copy of all conviction records, to the School Principal if the record involves a student who is arrested or taken into custody after his or her 17th birthday. 9~~

LEGAL REF.: 105 ILCS 5/10-20.14.
705 ILCS 405/1-7 and 1-8(F).

CROSS REF.: 2:150 (Committees), 7:150 (Agency and Police Interviews)

⁹ This duty is not imposed by State law, but may be part of the reciprocal reporting guidelines.

Students

Administrative Procedure - Use of Isolated Time Out and Physical Restraint ¹

This administrative procedure applies to all students. Isolated time out and physical restraint shall be used only as a means of maintaining discipline in schools (that is, as a means of maintaining a safe and orderly environment for learning) and only to the extent that they are necessary to preserve the safety of students and others. Neither isolated time out nor physical restraint shall be used in administering discipline to individual students, that is, as a form of punishment. The use of isolated time out and physical restraint by any staff member shall comply with the Illinois State of Education rules, Section 1.285, Requirements for the Use of Isolated Time Out and Physical Restraint. ² Isolated time out and physical restraint are defined as follows:

“Isolated time out” means the confinement of a student in a time-out room or some other enclosure, whether within or outside the classroom, from which the student’s egress is restricted.

“Physical restraint” means holding a student or otherwise restricting his or her movements. “Restraint” does not include momentary periods of physical restriction by direct person-to-person contact, without the aid of material or mechanical devices, accomplished with limited force and designed to: (1) prevent a student from completing an act that would result in potential physical harm to himself, herself, or another or damage to property; or (2) remove a disruptive student who is unwilling to leave the area voluntarily.

The following shall also apply:

1. The circumstances under which isolated time out or physical restraint will be applied are limited to maintaining a safe and orderly learning environment. § 1.280(c)(1).
2. The ISBE rules are adopted as the District’s written procedure to be followed by staff for the use of isolated time out or physical restraint. § 1.280(c)(2).
3. The Building Principal is the school official who will be informed of incidents and maintain the documentation required pursuant to Section 1.285 when isolated time out or physical restraint is used. § 1.280(c)(3).
4. The Building Principal shall investigate and evaluate any incident that results in an injury that the affected student (or the responsible parent or guardian), staff member, or other individual identifies as serious. § 1.280(c)(4).
5. The Building Principal shall compile a description of alternative strategies that will be implemented when determined advisable pursuant to Section 1.285(f)(4). § 1.280(c)(5).
6. The Superintendent or designee shall compile an annual review of the use of isolated time out or physical restraint. The Building Principal shall report the following information to the Superintendent in order to facilitate the report’s compilation: § 1.280(c)(6).
 - a. The number of incidents involving the use of these interventions;
 - b. The location and duration of each incident;
 - c. Identification of the staff members who were involved;

¹ The State Board’s new rules on the use of isolated time out and physical restraint were effective in January 2002 (23 Ill Admin. Code §§ 1.280 and 1.285). The rules apply to all students. The rules are so filled with minutiae that schools have very few compliance options. One option is to adopt the State Board’s rules by reference. The sample administrative procedure uses that option. **Note: the sample AP must be augmented to include local practices in order to comply with the ISBE rules.** Another option is to prohibit the use of isolated time out and physical restraint as those terms are defined in the rules. Contact your district attorney for further guidance.

² This paragraph is quoted from 23 Ill Admin. Code §§ 1.280.

- d. Any injuries or property damage that occurred; and
- e. The timeliness of parental notification and administrative review.

LEGAL REF.: 105 ILCS 5/10-20.31.
23 Ill. Admin. Code §§ 1.280 and 1.285.

Students

Student Handbook - Electronic Devices ¹

Electronic Signaling Devices

Students may not use or possess electronic paging devices or two-way radios on school property at any time, unless the Building Principal specifically grants permission.

Cell Phones ~~and Other Electronic Devices~~

The possession and use of cell phones ~~and other electronic devices, other than paging devices and two-way radios,~~ are subject to the following rules:

1. They must be kept out of sight and in an inconspicuous location, such as a backpack, purse, or locker.
2. They must be turned **off** during the regular school day unless the supervising teacher grants permission for them to be used or if needed during an emergency.
3. They may not be used in any manner that will cause disruption to the educational environment or will otherwise violate student conduct rules.

Electronic study aids may be used during the school day if:

1. Use of the device is provided in the student's IEP, or
2. Permission is received from the student's teacher.

Examples of electronic devices that are used as study aids include tape recorders, palm pilots, and laptop computers.

Examples of electronic devices that are **not** used as study aids include: hand-held electronic games (e.g., GameBoy), CD players, MP3 players, ipods, AM/FM radios, and cellular telephones.

The School District is not responsible for the loss or theft of any electronic device brought to school.

¹ 105 ILCS 5/10-20.28, as amended by PA 92-793, grants school boards the authority to "establish appropriate rules and disciplinary procedures governing the use or possession of cellular radio communication devices by a student while in a school or on school property, during regular school hours, or at any other time." The new legislation only covers cellular communication devices; it, however, contains no mandates. Due to previous legislation, most boards adopted policies prohibiting students from using or possessing any cell phones on school property. These policies must be amended before using this sample student handbook language on electronic devices. State law still prohibits student possession of electronic paging devices (105 ILCS 5/10-21.10).

Some boards may prefer to maintain their ban on cell phone and pager use and possession on school grounds. If so, the administration should not change the student handbook's prohibition of the use and possession of cell phones and pagers.

Students

Exhibit - Aggressive Behavior Reporting Letter and Form

Date _____

Dear _____:
Parent(s)/Guardian(s)

A staff member reported that your child or ward engaged in aggressive behavior (*see attached reporting form*).

Illinois law requires a school district to notify the parent or guardian of a child who engages in aggressive behavior, including bullying. 105 ILCS 5/10-20.14.

This early notification is intended to help all of us work together to avoid repetition of the behavior.

I recommend:

- We discuss *next steps* in person or over the telephone. I will telephone you to schedule a face-to-face or telephone conference.
- Counseling services, specifically: _____
- Non-District affiliated psychological services.
- Alternative school assignment, specifically: _____
- Community agency services, specifically: _____

Together, I am confident we can help your child or ward understand that aggressive behavior is not allowed at school.

Building Principal

Describe follow-up _____

Aggressive Behavior Reporting Form

State law requires a school district to notify the parent or guardian of a child who uses aggressive behavior, including bullying, at school. 105 ILCS 5/10-20.14. School board policy prohibits student's using aggressive behavior while at school 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.

Students

Suspension Procedures ¹

The following are suspension procedures: ²

1. Before suspension, the student shall be provided a conference during which the charges will be explained and the student will be given an opportunity to respond to the charges.
2. A pre-suspension conference is not required and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
3. Any suspension shall be reported immediately to the student's parent(s)/guardian(s). A written notice of the suspension shall state the reasons for the suspension, including any school rule which was violated, and a notice to the parent(s)/guardian(s) of their right to a review of the suspension. A copy of a notice shall be given to the School Board.
4. Upon request of the parent(s)/guardian(s), a review of the suspension shall be conducted by the School Board or a hearing officer appointed by the Board. ³ At the review, the student's parent(s)/guardian(s) may appear and discuss the suspension with the Board or its hearing officer and may be represented by counsel. After presentation of the evidence or receipt of the hearing officer's report, the Board shall take such action as it finds appropriate.

LEGAL REF.: 105 ILCS 5/10-22.6(b).
Goss v. Lopez, 95 S.Ct. 729 (1975).
Sieck v. Oak Park River-Forest High School, 807 F.Supp. 73 (N.D. Ill., E.D., 1992).

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

¹ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content.

² Districts must have a policy on student discipline (105 ILCS 5/10-20.14; 23 Ill. Admin. Code §§ 1.210 and 1.280). Suspension procedures are required by State law (105 ILCS 5/10-22.6(b)). The right to attend school is a property right protected by the due process clause of the U.S. Constitution. Goss v. Lopez, 95 S.Ct. 729 (1975). Imposing a short deprivation of this property right by suspending a student for 10 or fewer days requires only minimal due process. The student must be generally informed of the reasons for the possible suspension, and be permitted to tell his/her version of the story. Making a decision to suspend before the hearing violates the basic due process requirement that the hearing be meaningful. Sieck v. Oak Park-River Forest High School, 807 F.Supp. 73 (N.D. Ill., E.D., 1992).

³ A school board may hear student disciplinary cases in a meeting closed to the public (5 ILCS 120/2(B)(3)).

Students

Expulsion Procedures ¹

The following are expulsion procedures: ²

1. Before expulsion, the student and parent(s)/guardian(s) shall be provided written notice of the time, place, and purpose of a hearing by registered or certified mail requesting the appearance of the parent(s)/guardian(s). If requested, the student shall have a hearing, at the time and place designated in the notice, conducted by the Board or a hearing officer appointed by it. ³ If a hearing officer is appointed by the Board, he or she shall report to the Board the evidence presented at the hearing and the Board shall take such final action as it finds appropriate.
2. During the expulsion hearing, the student and his or her parent(s)/guardian(s) may be represented by counsel, present witnesses, and other evidence and cross-examine witnesses. At the expulsion hearing, the Board or hearing officer shall hear evidence of whether the student is guilty of the gross disobedience or misconduct as charged. After presentation of the evidence or receipt of the hearing officer's report, the Board shall decide the issue of guilt and take such action as it finds appropriate.

LEGAL REF.: 105 ILCS 5/10-22.6(a).
720 ILCS 570/102 et seq.
Goss v. Lopez, 95 S.Ct. 729 (1975).

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

¹ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content.

² All districts must have a policy on student discipline (105 ILCS 5/10-20.14; 23 Ill. Admin. Code §§ 1.210 and 1.280). Expulsion procedures are required by State law (105 ILCS 5/10-22.6(a)). The right to attend school is a property right protected by the due process clause of the U.S. Constitution. Goss v. Lopez, 95 S.Ct. 729 (1975). Expulsion of more than 10 days violates due process in absence of some kind of notice of the charges and an opportunity to refute them.

³ A school board may hear student disciplinary cases in a meeting closed to the public (5 ILCS 120/2(B)(3)).

Students

Bus Conduct ¹

All students must follow the District's School Bus Safety Guidelines. ² Gross disobedience or misconduct providing grounds for suspension from riding the school bus includes: ³

1. Prohibited student conduct as defined in the Student Discipline policy.
2. Willful injury or threat of injury to a bus driver or to another rider.
3. Willful and/or repeated defacement of the bus.
4. Repeated use of profanity.
5. Repeated willful disobedience of the bus driver's or other supervisor's directives.
6. Such other behavior as the administration deems to threaten the safe operation of the bus and/or its occupants.

Use of Video Cameras on School Buses ⁴

Video cameras may be used on school buses as necessary in order to monitor conduct and maintain a safe environment for students and employees. ⁵

The content of the videotapes are student records and are subject to District policy and procedure concerning school student records. ⁶ Only those people with a legitimate educational or administrative purpose may view the videotapes. In most instances, individuals with a legitimate educational or administrative purpose will be the Superintendent, Building Principal, Transportation Director, bus driver, and sponsor, coach, or other supervisor. If the content of a video tape becomes the subject of a student disciplinary hearing, it will be treated like other evidence in the proceeding.

Discipline Procedure

The District's regular suspension procedures shall be used to suspend a student's privilege to ride a school bus.

¹ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content.

² Required by 105 ILCS 5/10-20.14, as amended by P.A. 91-272. See 4:170-AP3.

³ All districts must have a policy on student discipline (105 ILCS 5/10-20.14; 23 Ill. Admin. Code §§ 1.210 and 1.280). Procedures for suspending a student from riding a school bus are required by State law (105 ILCS 5/10-22.6(b)).

⁴ This section on video cameras is optional.

⁵ Districts should avoid mandating in policy or procedure that students and parent(s)/guardian(s) be notified about the potential use of video cameras because the failure to abide by such a mandate may become an issue in a disciplinary proceeding. Nevertheless, a notice such as the following, in the student handbook is a good idea:

The video cameras on school buses may be used to monitor student behavior, to maintain order on the school buses, and to promote and maintain a safe environment. The content of the videotapes may be used in a student disciplinary proceeding. Videotapes will be retained only if necessary for use in a student disciplinary proceeding or other matter as deemed necessary by the administration.

The following notice may be placed on all school buses equipped with a video monitoring camera:

This bus is equipped with a video/audio monitoring system.

⁶ Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, 34 C.F.R. Part 99, and 105 ILCS 10/1 *et seq.*

LEGAL REF.: Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, 34 C.F.R. Part 99.
105 ILCS 5/10-22.6 and 10/1 et seq.

CROSS REF.: 4:170 (Safety), 7:130 (Student Rights and Responsibilities), 7:190 (Student
Discipline), 7:200 (Suspension Procedures), 7:340 (Student Records)

Students

Administrative Procedure - Use of Video Cameras on School Buses

Review of Videotapes

Videotapes are viewed to investigate an incident reported by a bus driver, administrator, supervisor, student, or other person. They are also viewed at random.

Viewing of videotapes is limited to individuals having a legitimate educational or administrative purpose. In most instances, individuals with a legitimate educational or administrative purpose will be the Superintendent, administrator (including the Building Principal, Transportation Director, bus driver, and sponsor, coach, or other supervisor. A written log will be kept of those individuals viewing the videotapes stating the time, name of individual viewing, and the date the videotape was viewed.

A videotape may be reused or erased after 14 days unless it is needed for an educational or administrative purpose. **1**

Student Conduct

Students are prohibited from tampering with the video cameras. Students who violate this regulation shall be disciplined in accordance with the School District discipline policy and shall reimburse the School District for any repairs or replacement necessary as a result of the tampering.

1 The number of days for keeping a videotape is at the board's discretion. The Local Records Act (LRA, 50 ILCS 205/1 et seq.) governs the destruction of public records. Unless a record contains informational data appropriate for preservation, the LRA is not triggered and the record may be destroyed. Video monitoring tapes may be erased because they typically do not contain informational data appropriate for preservation.

Students

Misconduct by Students with Disabilities ^{1 2}

Behavioral Interventions ³

Behavioral interventions shall be used with students with disabilities to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors. The District will establish and maintain a committee to develop, implement, and monitor procedures on the use of behavioral interventions for children with disabilities. ⁴ The committee shall review the State Board of Education's guidelines on the use of behavioral interventions and use them as a non-binding reference. ⁵ This policy and the behavioral intervention guidelines shall be provided to the parent(s)/guardian(s) of all students at the time an individual education plan is first implemented for a student, and annually thereafter, at the time when the student's individual education plan is reviewed. ~~This policy and the behavioral intervention procedures shall be furnished to the parent(s)/guardian(s) of all students with individual education plans within 15 days after their adoption or amendment by, or presentation to, the Board or at the time an individual education plan is first implemented for a student; all students shall be informed annually of the existence of this policy and the procedures. At the annual individualized education plan review, a copy of this policy shall be given to the parent(s)/guardian(s). The policy and procedures shall be explained. A copy of the procedures shall be available, upon request of the parent(s)/guardian(s).~~ ⁶

Discipline of Special Education Students

The District shall comply with the provisions of the Individuals With Disabilities Education Act (IDEA) when disciplining students. No special education student shall be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of his or her disability. ⁷ Any special education student whose gross disobedience or misconduct is not a manifestation of his or her disability may be expelled pursuant to the expulsion procedures, except that such disabled student

¹ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled.

² All districts must have a policy on student discipline (105 ILCS 5/10-20.14; 23 Ill. Admin. Code §§ 1.210 and 1.280).

³ The provisions on behavioral interventions are required by 105 ILCS 5/14-8.05.

⁴ The procedures must "be developed with the advice of parents with students with disabilities and other parents, teachers, administrators, advocates for persons with disabilities, and individuals with knowledge or expertise in the development and implementation of behavioral interventions for persons with disabilities." (Id.).

⁵ The ISBE's guidelines recommend that districts designate at least one staff member as a "behavioral intervention consultant." Selecting one person to coordinate the behavioral intervention procedures will facilitate this policy's implementation. Consider adding:

The Superintendent may designate at least one staff member as a behavioral intervention consultant who shall oversee the implementation of this policy.

⁶ This restates the law's distribution requirements (105 ILCS 5/14-8.05).

⁷ A special education student may not be expelled for behavior or a condition that is a manifestation of the student's disability (§ 1415(k)(4) and § 1415(k)(5) of the IDEA; 34 C.F.R. §§ 300.523 and 300.524).

shall continue to receive educational services as provided in the IDEA during such period of expulsion. **8**

A special education student may be suspended for periods of no more than 10 consecutive school days each in response to separate incidents of misconduct, regardless of whether the student's gross disobedience or misconduct is a manifestation of his or her disabling condition, as long as the repeated removals do not constitute a pattern that amounts to a change in placement (considering factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another) **9** and provided that such student receives educational services to the extent required by the IDEA during such removals. **10**

Any special education student may be temporarily excluded from school by court order or by order of a duly appointed State of Illinois hearing officer changing the student's placement to an appropriate interim alternative educational setting for up to 45 days, if the District demonstrates that maintaining the student in his or her current placement is substantially likely to result in injury to the student or others. **11**

A special education student who has carried a weapon to school or to a school function or who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function may be removed from his or her current placement. Such a student shall be placed in an appropriate interim alternative educational setting for no more than 45 days in accordance with the IDEA. ~~The length of time a student with a disability is placed in an alternative~~

8 The IDEA provides that a free appropriate public education (FAPE) must be available to all children with disabilities, including children with disabilities who have been suspended or expelled from school (20 U.S.C. § 1412a(1)(A)). Some commentators argue that the intent of Congress was to require services during long-term suspensions and expulsions, but the language included in the Act appears to require services during any exclusion from school. Services need not be provided during periods of exclusion to a student with a disability who has been removed from his or her current placement for 10 school days or less in a school year, if services are not provided to a student without disabilities who has been similarly removed. (34 C.F.R. § 300.121(d)(1)). The ISBE's special education rules are to the same effect. (23 Ill. Admin Code § 226.400(a)(1)).

In the case of a student removed from the current placement for more than 10 days in a school year, the school must, after the tenth day, provide services to the extent necessary to enable the child to appropriately progress in the general curriculum and advance toward achieving the goals in the student's IEP, if (a) the removal occurs under the district's authority to exclude the student for periods of no more than 10 consecutive school days as long as the repeated removals do not constitute a change in placement (in which case the necessary services are identified by school personnel in consultation with the student's special education teacher), or (b) the long-term exclusion is imposed for behavior that has been found not to be a manifestation of the student's disability (in which case the IEP team determines the services necessary to enable the student to appropriately progress in the general curriculum and advance toward IEP goals). 34 C.F.R. § 300.121(d); 23 Ill. Admin. Code §§ 226.400(a) and 226.410(g).

9 20 U.S.C. § 1415(k); 34 C.F.R. § 300.519; and 23 Ill. Admin. Code §§ 226.400(a) and 226.410(g).

10 Supra 7.

11 Districts may seek an injunction to have the State or federal court set aside the stay-put legislative mandate (20 U.S.C. § 1415(k) if a student poses a serious danger. Honig v. Doe, 108 S.Ct. 592 (1988). Alternatively, a district may seek an order from a State of Illinois Due Process Hearing Officer if the student's current placement is substantially likely to result in injury to the student or to others (§ 1415(k)(2) of the IDEA). Prior to issuing such an order pursuant to § 1415(k)(2) of the IDEA, the hearing officer must consider the appropriateness of the student's current placement and whether the District has made reasonable efforts to minimize the risk of harm in the current placement, including use of supplementary aids and services. The hearing officer must also determine that the interim alternative educational setting selected by the IEP team including the child's special education teacher will:

- Enable the student to continue to participate in the general curriculum (although in another setting),
- Continue to receive those services and modifications (including those described in the student's current IEP) that will enable the student to meet IEP goals, and
- Include services and modifications designed to address the student's behavior so that it does not recur.

20 U.S.C. § 1415(k)(2) and (3); 34 C.F.R. §§ 300.521, 300.522, and 300.528; 23 Ill. Admin Code § 226.655.

~~educational setting must be the same amount of time that a student without a disability would be subject to discipline.-12~~

LEGAL REF.: Individuals With Disabilities Education Act, 20 U.S.C. § 1400 et seq.
Gun-Free Schools Act, 20 U.S.C. § 3351 et seq.
34 C.F.R. §§ 300.121(d), 300.519, 300.521, 300.522, 300.523, 300.524, 300.528.
105 ILCS 5/10-22.6 and 5/14-8.05.
23 Ill. Admin. Code §§ 226.40, 226.400(a), 226.410, 226.520, and 226.655.
Honig v. Doe, 108 S.Ct. 592 (1988).

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

ADMIN. PROC.: 7:230-AP (Misconduct by Students with Disabilities)

¹² 20 U.S.C. § 1415(k)(1)(A)(ii); 34 C.F.R. § 300.121.

Students

Administrative Procedure - Misconduct by Students with Disabilities

Special Education Suspension Procedures

1. All suspension notices and suspension review procedures established by The School Code shall be followed when suspending a special education student. ~~In addition, a special education student who is suspended from school shall receive educational services in accordance with the IDEA.~~ In addition, a special education student who is suspended from school for more than 10 school days in a school year shall receive educational services in accordance with the IDEA.
2. The first time a student is removed for more than 10 cumulative days during the school year, the District shall, no later than 10 business days after the decision to suspend a student is made, convene an IEP meeting to review and, if appropriate, modify the student's behavior intervention plan, as necessary, to address the student's behavior. If no behavior intervention plan is in place, the IEP team shall develop a plan for a functional behavioral assessment that must be used to develop a behavior intervention plan.
3. For all subsequent removals of the student that do not constitute a change in placement, the IEP team members must review the behavior intervention plan and its implementation. If any team member indicates that the plan may need to be modified, the IEP team must be convened to review the plan and revise it, if appropriate.
4. For all removals that exceed 10 cumulative days during one school year, the District must provide services to the student. School personnel, in conjunction with the student's special education teacher, shall determine the services to be provided. Such services must be designed to enable the student to progress in the general curriculum and advance toward his or her IEP goals.

Special Education Expulsion Procedures

1. The District shall promptly notify the student's parent(s)/guardian(s) of the disobedience or misconduct and whether the student shall be recommended for expulsion. All procedural protections pertaining to notice provided under the District's discipline policy shall apply to a notice of recommended expulsion in the case of a special education student. The parent(s)/guardian(s) shall also receive a copy of IDEA's procedural safeguards and receive written notification that:
 - An IEP conference shall be convened to determine whether the student's act of gross disobedience or misconduct is a manifestation of his or her disability. The IEP meeting shall take place as soon as possible, but no later than 10 school days after the decision to discipline the student is made.
 - The student's parent(s)/guardian(s) are requested to attend the IEP team meeting at the date, time, and location specified in the notice.
2. For purposes of such manifestation determination review, the IEP team shall include the members of the student's IEP team and other qualified personnel including, but not limited to, the authorized administrator familiar with the act of misconduct.
3. In carrying out the manifestation determination review, the team shall consider, in terms of the behavior subject to the disciplinary action, all relevant information including:
 - Evaluation and diagnostic results, including relevant information supplied by the parents;

- Observations of the student; and
 - The student’s IEP and placement.
4. The team may determine that the subject behavior was not a manifestation of the student’s disability only if it is determined that:
- ~~The student’s IEP and placement were appropriate and special education, supplementary aids and services, and behavior intervention strategies were provided consistent with the student’s IEP and placement;~~
 - ~~The student’s disability did not impair the ability of the student to understand the impact and consequences of the behavior subject to the disciplinary action; and~~
 - ~~The student’s disability did not impair the ability of the student to control the behavior subject to the disciplinary action.~~
 - The conduct in question was caused by, or had a direct and substantial relationship to, the student’s disability; or
 - The conduct in question was a direct result of the District’s failure to implement the student’s individual education plan (IEP).
5. If, at the manifestation determination review conference, it is determined that the behavior of the student was a manifestation of his or her disability, the authorized administrator shall not continue with his or her recommendation for expulsion. The authorized administrator may request a review of the appropriateness of the educational placement of the student in accordance with the ISBE Special Education Rules and Regulations. During the period necessary to propose a new placement, the student will remain in his or her then-current placement unless:
- The student has not served a full 10 school day suspension imposed for the offense, in which case the student may be required to serve the remaining days of his or her suspension; or
 - The parent(s)/guardian(s) and the District agree on an interim placement; or
 - The District obtains an order from a court of competent jurisdiction or a State of Illinois hearing officer changing the then-current placement or providing for other appropriate relief.
6. If, at the manifestation determination review conference, it is determined that the behavior of the student was not a manifestation of his or her disability, the authorized administrator may continue with his or her recommendation that the student be considered for expulsion by the School Board. The parent(s)/guardian(s) shall receive written notice that includes the following provisions:
- The parent(s)/guardian(s) are entitled to all rights provided under the IDEA and those set forth in the ISBE Special Education Rules and Regulations, as available to the parent(s)/guardian(s) from the District. A copy of the parent’(s)/guardian’(s) rights shall be included with the expulsion hearing notice.
 - In addition to issues regularly determined at an expulsion hearing, the authorized administrator must present evidence that the manifestation determination review team met and concluded that the student’s misconduct was not a manifestation of his or her disability, which shall be duly noted by the School Board.
 - The administration shall ensure that relevant special education and disciplinary records of the student are transmitted for consideration by the School Board.

7. If a special education student is expelled from school in accordance with the procedures set forth above, the District shall convene an IEP meeting to develop an educational program to deliver educational services to the student during such period of expulsion. ¹

Weapon and Drug Offenses; [Infliction of Serious Bodily Injury](#) ²

In accordance with the above procedures, the District may take one or more of the following steps when a student with a disability carries a weapon to school or to a school function, ~~or~~ knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or at a school-related function, [or inflicting a serious bodily injury upon another person while at school or at a school-related function](#):

1. Suspend the student from school for 10 school days or less.
2. Convene an IEP conference to: (a) determine placement in an interim alternative educational setting for up to 45 calendar days, (b) review and, if appropriate, modify the student's behavior intervention plan, as necessary, to address the student's behavior, (if no behavior intervention plan is in place, the IEP team shall develop a plan for a functional behavioral assessment that must be used to develop a behavior intervention plan), and (c) conduct a manifestation determination review. The student may be placed in an interim alternative educational setting even if the behavior is a manifestation of the student's disability.
3. The interim alternative educational setting must:
 - Enable the student to continue to progress in the general curriculum;
 - Enable the student to receive the services and modifications set forth in his or her IEP; and
 - Include services and modifications designed to address the misconduct to prevent it from recurring.
4. If the parent(s)/guardian(s) disagree with the alternative educational placement or with the District-proposed placement and initiate a due process hearing, the student must remain in the alternative educational setting during the authorized review proceedings, unless the parent(s)/guardian(s) and the District agree on another placement.

Change of Placement if Maintenance of Current Placement Is Likely to Result in Injury

In the event that maintenance of a student's current placement is substantially likely to result in injury to the student or to others, the District may seek an order from a court of competent jurisdiction or a State of Illinois Due Process Hearing Officer to change the student's placement to an appropriate interim alternative educational setting for one or more 45-day periods after convening an IEP meeting to:

1. Conduct a manifestation determination review following procedures described under sub-heading "Special Education Expulsion Procedures," paragraph numbers 3 and 4, and
2. Determine a proposed interim alternative educational setting that meets the requirements under sub-heading "Weapon and Drug Offenses," in paragraph number 3.

The length of time a student with a disability is placed in an alternative educational setting must be the same amount of time that a student without a disability would be subject to discipline. ³

¹ At least 10 days before a district proposes to initiate a placement change, it must mail a notice to the student's parent(s)/guardian(s) (23 Ill. Admin. Code § 226.520).

² Compliance with the federal Gun-Free Schools Act, as well as State law, can be achieved consistent with the requirements that apply to students with disabilities as long as it is determined on a case-by-case basis in accordance with IDEA and Section 504 (20 U.S.C. § 3351 *et seq.*; 105 ILCS 5/10-22.6). Under the provision that permits modification of the expulsion requirement on a case-by-case basis, the requirements of IDEA and Section 504 can be met.

Disciplining Children Not Yet Eligible Under IDEA

1. Any child who has not been determined to be eligible for special education and related services and who engages in behavior that violates the School District's code of conduct shall be disciplined in accordance with the District's discipline policy for nondisabled students, unless the School District had knowledge that the child was a child with a disability.
2. The School District will be deemed as having knowledge that a child may be eligible for special education and related services prior to the disciplinary incident, if any one of the following conditions exists:
 - The parent(s)/guardian(s) of the child expressed concern in writing (or orally if the parent(s)/guardian(s) does not know how to write or has a disability that prevents a written statement) to school personnel that the child is in need of special education and related services;
 - The behavior or performance of the child demonstrates the need for special education and related services;
 - The parent(s)/guardian(s) of the child has requested an evaluation of the child; or
 - The child's teacher or other school personnel expressed concern in writing about behavior or performance of the child to the Director of Special Education or other personnel or in accordance with the School District's child find activities or referral procedures.
3. The School District will not be deemed to have knowledge if:
 - Documentation maintained in the school student records affirm that an evaluation to determine the presence of a disability was either conducted and the child was found not eligible for special educational and related services;
 - Documentation maintained in the school student records affirm that an evaluation to determine the presence of a disability was recommended but the parent(s)/guardian(s) denied consent for such evaluation; or
 - the parent(s)/guardian(s) was provided with written notice that the School District had considered the need to conduct an evaluation and had determined that an evaluation was not warranted.
4. If, following the District's decision to discipline a child who has not been determined to be eligible for special education and related services, the child's parent(s)/guardian(s) request a full and individual evaluation, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the child shall remain in the educational placement determined by the School District, which may include suspension or expulsion without educational services.

3 20 U.S.C. § 1415(k)(1)(A)(ii); 34 C.F.R. § 300.121.

Referral to and Action by Law Enforcement and Judicial Authorities

The School District is not prohibited from reporting a crime committed by a child with a disability to appropriate authorities. The School District shall ensure that copies of special education and disciplinary records are also transmitted to the authorities in such instances, subject to the requirements of federal and State law.

LEGAL REF.: 20 U.S.C. §§ 1412 (State eligibility), 1413 (local educational agency eligibility), 1415 (Individuals with Disabilities Education Act).
34 C.F.R. §§ 300.121, 300.346, 300.520, 300.519, 300.521, 300.522, 300.523, 300.524, 300.520.
105 ILCS 5/10-22.6, 5/14-8.05.

23 Ill. Admin. Code §§ 226.50 (requirements for FAPE), 226.75 (definitions), 226.220(factors in development of the IEP), 226.400 (disciplinary actions), 226.410 (manifestation determination review), 226.520 (notification of district's proposal), 226.655 (expedited due process hearing).

Students

Cellular Phone Usage

The School Board is committed to providing all students a safe and secure learning environment. In order to achieve this goal, cellular phones will be allowed on school grounds for use by students. Such use will have the following limitations:

1. Except in the event of an emergency, cellular phones will not be utilized during school hours.
2. During school hours, cellular phones will be required to be turned off and kept out of sight.
3. Cellular phone usage shall not disrupt the learning environment.
4. Cellular phones shall not be used for inappropriate purposes or for any illegal activity.
5. The decision of what constitutes an emergency or inappropriate cellular use will be the responsibility of the school administration.

If cellular phone usage is deemed to have been inappropriate or resulted in a disruption of learning environment, the appropriate disciplinary action will be taken.

Students

Student Support Services

The following student support services may be provided by the School District:

1. Health services supervised by a qualified nurse. The Superintendent or designee may implement procedures to further a healthy school environment and prevent or reduce the spread of disease, including head lice (*Pediculus Humanus Capitis*).
2. Educational and psychological testing services and the services of a psychologist as needed. In all cases, written permission to administer a psychological examination must be obtained from a student's parent(s)/guardian(s). The results will be given to the parent(s)/guardian(s), with interpretation, as well as to the appropriate professional staff.
3. The services of a social worker. A student's parent(s)/guardian(s) must consent to regular or continuing services from a social worker.
4. Guidance and counseling services.

The Superintendent or designee shall develop protocols for responding to students with social, emotional, or mental health problems that impact learning ability. The District, however, assumes no liability for preventing, identifying, or treating such problems.

This policy shall be implemented in a manner consistent with State and federal laws, including the Individuals with Disabilities Education Act, 42 U.S.C. §12101 et seq.

LEGAL REF.: Children's Mental Health Act of 2003, 405 ILCS 49/1 et seq.

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

Reviewed: August 23, 2004

Adopted: August 23, 2004

Revisions Adopted:

Students

Administrative Procedure - Measures to Control the Spread of Head Lice at School

Actor	Action
School Nurse	<p>Involves parent organization in the development and implementation of programs regarding prevention and treatment.</p> <p>Provides information regarding control to staff, students, and parents.</p> <p>Provides inservice to school personnel on preventing transmission in classrooms, including:</p> <ul style="list-style-type: none"> • Confidentiality requirements • Identification • Precautions against self-contamination and cross-contamination, e.g., <ol style="list-style-type: none"> a. Carpets should be vacuumed frequently. b. Cloth-covered stuffed animals, sleeping mats, pillows, sofas, and other stuffed furniture should be discouraged. • Treatment and resources for treatment. • Readmission requirements. • Respect for sensitivity of students and parents/guardians regarding this condition.
Parents/Guardians	<p>Assist in preventing and managing head lice outbreaks by regularly checking their children's hair and providing immediate treatment if lice are detected.</p> <ul style="list-style-type: none"> • Check your child's hair and scalp regularly for eggs; tiny white or grayish grains stuck to the hair. Head lice like clean heads, too. • Do not allow your child to use other children's combs, brushes, hats, etc. • If you find your child does have head lice, please inform the school so a check can be made on the other children in the class. • Call your physician for a <u>Purchase an over the counter</u> medicated shampoo. Follow the instructions for the entire family. • Hats, combs, brushes, and bed linens should be cleaned thoroughly. After the medicated shampoo, you can loosen the eggs with scalp rinses of vinegar, and then slide the eggs off the hair shaft with tweezers, a special fine tooth comb, or your fingernails.
Staff	<p>To prevent the spread of head lice infestations, report all suspected cases of head lice to the school nurse or designee as soon as possible.</p>
School Nurse	<p>Inspect the head of any student reasonably suspected of having head lice as soon as possible.</p> <p>Check the siblings of any student with head lice and notify other schools where siblings attend.</p> <p>Check the student's contacts for the presence of lice.</p> <p>Provide the student's parent(s)/guardian(s) with information regarding head lice treatment.</p>

Actor	Action
	If more than one student is affected in any class, examine all students in the class and provide information about head lice to all parents/guardians of students in the class.
Building Principal	If eggs (nits) or lice are found, exclude the student from attendance and inform the parent(s)/guardian(s) about recommended treatment procedures and sources of further information.
Staff	Maintain the privacy of students identified as having head lice and excluded from attendance.
Parents/Guardians	Return an excluded student to school by bringing a note verifying treatment. ¹
School Nurse	Examine any excluded student and verify to the Building Principal that all eggs (nits) and lice are gone so that the student may return.
Building Principal	Notify parent(s)/guardian(s) whose excluded student has not returned to school within 5 days of the following: <ul style="list-style-type: none"> • School attendance laws • Action which may be taken if absence continues • Resources for treatment information

¹ This is a nit-free requirement. A nit-free requirement eliminates any subjective call for school personnel as to whether the nit is dead or alive. Alternatively, the administration may believe a nit-free requirement is unnecessary to successfully manage head lice and results in unnecessary absences. If so, eliminate the reinspection requirement by deleting this row.

Students

Administrative Procedure - Protocol for Responding to Students with Social, Emotional, or Mental Health Problems

Student Support Committee

Each Building Principal shall annually appoint a building-level Student Support Committee that shall have the tasks described in this Administrative Procedure. Committee members must be school staff members who are qualified by professional licensing or experience to address issues concerning students who may have social, emotional, or mental health problems. As needed on a case-by-case basis, the Student Support Committee may request the involvement of the Building Principal, relevant teachers, and the parents/guardians. Records produced and shared among Committee members may be subject to laws governing student records. Confidential information given by a student to a therapist is governed by the Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/1 et seq.

Referrals

Staff members should refer a student suspected of having social, emotional, or mental health problems to the building-level Student Support Committee. The Student Support Committee will review information about a referred student, including prior interventions, and suggest appropriate steps for referral and follow-up. The Student Support Committee may offer strategies to a referred student's classroom teachers and parents/guardians about ways they can manage, address, and/or enhance the student's social and emotional development and mental health. In addition, the Student Support Committee may recommend coordinated educational, social work, school counseling, and/or student assistance services within the school as well as referrals to outside agencies.

Referrals under this procedure are unrelated to the special education evaluation process and do not trigger the District's timeline for evaluations. However, the use of these procedures shall not circumvent the special education process. See Administrative Procedure 6:120-AP, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities and Suspected Disabilities*.

School Counseling, Social Work, and Psychological Services

The Student Support Committee may request school counselors, social workers, psychologists, and school nurses to provide support and consultation to teachers and school staff about strategies to promote the social and emotional development and mental health of all students. They may also be requested to provide screening and early detection approaches to identify students with social, emotional, and mental health problems.

Written permission from the parent/guardian is required for any on-going social work and psychological services. "On-going" is defined as more than 5 contacts in which the student received ~~these services~~ curriculum-based services, progress monitoring, assessments or consultation services.

Written consent may be obtained through an IEP or other designated form. That consent does not entitle parents/guardians to know the contents of all that is discussed. School counselors, social workers, and psychologists will inform parents/guardians of all issues that pose a serious health and/or safety risk; they will inform the Building Principal of any health or safety risks that are present in the school

Psycho-Educational Groups

As appropriate, the Student Support Committee may recommend that a student participate in a variety of psycho-educational groups. These groups are typically led by school counselors, social workers, or psychologists, but are not structured as therapeutic services. Groups are designed to help students

better understand issues and develop strategies to manage issues of concern to them that may, if not addressed, interfere significantly with the students' educational progress or school adjustment. Groups have a written curriculum that guides discussion over a set period of time, generally 5 weeks. A student may participate in a group without parent/guardian permission for one such time period; subsequent enrollment in the same group requires parent/guardian permission.

Students in a group who present significant concern and for whom therapeutic services must be considered will be referred to the social workers, psychologists, or school counselors for individual consultation. (See above description of these services).

School and Community Linkages

When possible, the Student Support Committee shall seek to establish linkages and partnerships with diverse community organizations to provide a coordinated approach to addressing children's social and emotional development and mental health needs.

LEGAL REF.: Children's Mental Health Act of 2003, 405 ILCS 49/1 et seq.

Reviewed: August 23, 2004

Adopted: August 23, 2004

Revisions Adopted:

Students

Exemption from Physical Activity 1

A child may be exempted from some or all physical activities when the appropriate excuses are submitted to the school by parent(s)/guardian(s) or by a person licensed under the Medical Practice Act. ²

Alternative activities and/or units of instruction will be provided for pupils whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act, prevents their participation in the physical education courses.

LEGAL REF.: 105 ILCS 5/27-6.
23 Ill. Admin. Code § 1.420(p).

CROSS REF.: 6:60 (Curriculum Content)

¹ State or federal law controls this policy's content.

² Medical Practice Act is found in 225 ILCS 60/1 et seq.

Students

Administering Medicines to Students ^{1 2}

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

No School District employee shall administer to any student, or supervise a student's self-administration of, any prescription or non-prescription medication until a completed and signed "School Medication Authorization Form" is submitted by the student's parent(s)/guardian(s). No student shall possess or consume any prescription or non-prescription medication on school grounds or at a school-related function other than as provided for in this policy and its implementing procedures. A student may possess medication prescribed for asthma for immediate use at the student's discretion, provided the student's parent(s)/guardian(s) have completed and signed a "School Medication Authorization Form." The School District shall incur no liability, except for willful and wanton conduct, as a result of any injury arising from a student's self-administration of medication or the medication's storage by school personnel. Parent(s)/guardian(s) must indemnify and hold harmless the School District and its employees and agents, against any claims, except a claim based on willful and wanton conduct, arising out of a student's self-administration of medication or the storage of the medication by school personnel. ³

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

The Building Principal shall include this policy in the Student Handbook and shall provide a copy to the parent(s)/guardian(s) of students. ⁴

¹ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content.

² All districts must have a policy for administering medication (105 ILCS 5/10-20.14b). State law prohibits school boards from requiring that teachers and other non-administrative school employees administer medication to students; exceptions are certificated school nurses and non-certificated registered professional nurses (105 ILCS 5/10-22.21b).

³ 105 ILCS 5/22-30, as added by P.A. 92-0402, requires school districts to allow students to possess and self-administer their prescribed asthma medication: (1) while in school, (2) while at a sponsored activity, (3) while under the supervision of school personnel, or (4) before or after normal school activities, such as while in before-school or after-school care on school-operated property. The law also provides that: (1) each school district must inform parent(s)/guardian(s) that neither the district nor its employees and agents, are to incur liability, except for willful and wanton conduct, as a result of any injury arising from the self administration of medication by the pupil, and (2) the parent(s)/guardian(s) must indemnify and hold harmless the school district and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of the self-administration of medication by the pupil or the storage of the medication by school personnel.

⁴ Each district must inform students (e.g., through homeroom discussion or loudspeaker announcement) about, and distribute to their parent(s)/guardian(s) the district's policy, guidelines, and forms on administering medicines within 15 days after the beginning of each school year, or within 15 days after starting classes for a student who transfers into the district. A comprehensive Student Handbook can provide notice to parents and students of the school's 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.

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

ADMIN. PROC.: 7:270-AP (Dispensing Medication), 7:270-E (School Medication Authorization Form)

Students

Administrative Procedure - Dispensing Medication

Actor	Action
Parent(s)/Guardian(s)	<ol style="list-style-type: none"> 1. Ask the child's physician, dentist, or podiatrist if a medication, either prescription or non-prescription, must be administered during the school day. 2. If so, ask the health care provider to complete a "School Medicine Authorization Form." This Form will provide information and dispensing instructions to the school, including side effects, if any. The school will not store or dispense any medication unless this form is completed and given to the school. Your child or ward will not be allowed to possess asthma medication on school grounds unless this form is completed. If a student is on a medication indefinitely, the parent(s)/guardian(s) must file a new "School Medication Authorization Form" every year.
Parent(s)/Guardian(s)	<ol style="list-style-type: none"> 1. Bring the medication to the school office. However, if the medicine is prescribed for asthma, a student may keep possession of it for immediate use at the student's discretion. 2. Bring prescription medication to the school in the original package or appropriately labeled container. The container shall display: <ul style="list-style-type: none"> • Student's name • Prescription number • Medication name/dosage • Administration route and/or other direction • Date and refill • Licensed prescriber's name • Pharmacy name, address and phone number • Name or initials of pharmacist 3. Bring non-prescription medications to school in the manufacturer's original container with the label indicating the ingredients and the student's name affixed.
Parent(s)/Guardian(s)	At the end of the treatment regime, remove any unused medication from the school.
School Office Personnel	Provide a copy of these procedures, as well as a "School Medication Authorization Form," to inquiring parent(s)/guardians(s).
School Office Personnel	<ol style="list-style-type: none"> 1. Whenever a parent/guardian brings medication for a student to the office, summon the school nurse. 2. If the school nurse is unavailable, accept the medication, provided the parent/guardian also submits a completed "School Medication Authorization Form" and the medication is in the appropriate container. Put the medication in the appropriate locked drawer or cabinet. Tell the school nurse about the medication as soon as possible.

Actor	Action
School Nurse (certificated school nurse or non-certificated registered professional nurse)	<ol style="list-style-type: none"> 1. Ensure that parent/guardian who brings medication for his or her child/ward has complied with the parent's/guardian's responsibilities as described in this administrative procedure. 2. In conjunction with the licensed prescriber and parent(s)/guardian(s), identify circumstances, if any, in which the student may self-administer the medication and/or carry the medication. 3. Store the medication in a locked drawer or cabinet. However, if the medicine is prescribed for asthma, a student may keep possession of a rescue inhaler for immediate use. Medications requiring refrigeration should be refrigerated in a secure area. 4. Plan with the student the time(s) the student should come to the nurse's office to receive medications. 5. Document each dose of the medication in the student's individual health record. Documentation shall include date, time, dosage, route, and the signature of the person administering the medication or supervising the student in self-administration. 6. Assess effectiveness and side effects as required by the licensed prescriber. Provide written feedback to the licensed prescriber and the parent(s)/guardian(s) as requested by the licensed prescriber. 7. Document whenever the medication is not administered as ordered, as well as the reasons. 8. If the parent(s)/guardian(s) do not pick up the medication by the end of the school year, discard the medication in the presence of a witness.
Building Principal	<ol style="list-style-type: none"> 9. Supervise the use of these procedures. 10. Perform any duties described for school office personnel, as needed. 11. Perform any duties described for school nurses, as needed, or delegate those duties to appropriate staff members. Teachers and other non-administrative school employees, except school nurses, non-certificated and registered professional nurses, shall not be required to administer medication to students. 12. Make arrangements, in conjunction with the parent(s)/guardian(s), supervising teachers, and/or bus drivers for the student to receive needed medication while on a field trip. Unless these arrangements can be made, the student must forego the field trip.

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

Students

Exhibit – School Medication Form: Permission to Administer Prescriptions and Non-Prescriptions

School medication form must be on file in the health office in order for school personnel to administer medication.

Student's Name _____ School _____

Medication _____ Time of Day _____

Dosage _____ Interval Between Doses _____

Length of Time _____ to _____

Condition, Illness or Disease _____

Side Effects _____

Is student on any other medication _____ If yes, what _____

Prescribed by Doctor _____

Physician's Signature

Date

Phone Number

FAX Number

By signing below, I agree:

1. That I am primarily responsible for administering medication to my child. However, in the event that I am unable to do so or in the event of a medical emergency, I hereby authorize the School District and its employees and agents, in my behalf and stead, to administer or to attempt to administer to my child (or to allow my child to self-administer, while under the supervision of the employees and agents of the School District), lawfully prescribed medication in the manner described above. **I acknowledge that it may be necessary for the administration of medications to my child to be performed by an individual other than a school nurse, and specifically consent to such practices,** and
2. To indemnify and hold harmless the school district and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of the self-administration of medication by the pupil.

Parent/Guardian printed name

Parent/Guardian printed name

Parent/Guardian signature* Date

Parent/Guardian signature* Date

** Both parents and/or guardians, if available, should sign.*

Home Number _____

Work Number _____

The medication must be labeled with the child's name and must be in the original container from the druggist. Any substitution from the original container must be approved by both the building principal and the school nurse, and must have prescription number, name of druggist, and all information required on the original label. All medications should be brought to school by a parent.

Students

Exhibit – Asthma Medication Authorization: Hold Harmless and Indemnity

This Section must be completed and signed by either 1) the student’s physician, 2) physician assistant, or 3) advanced practice registered nurse.

Student Name _____ Date of Birth: _____

Name of Medication _____

Purpose of Medication: _____

Prescribed Dosage _____

Time at which or special circumstances under which the medication is to be administered _____

*Signature of physician, physician’s assistant, or
advanced practice registered nurse*

Date of Signature

This Section must be completed by the student’s parent or guardian:

Pursuant to the authority granted under Section 105ILCS5/22.30 of the Illinois School Code, I hereby authorize by son/daughter, _____, to self-administer the above referred asthma medication.

I agree to indemnify and hold harmless the School District, its Board of Education and the Board’s members, officers, employees and volunteers from any claim, liability, loss or expense, including reasonable attorney’s fees, suffered by any of the foregoing indemnitees and arising out of a claim related directly or indirectly to my son/daughter’s self administration of the above referenced asthma medication of and brought by me, any other parent or guardian of my student or another student, or by or on behalf of my student or another student. We understand that the School District and the foregoing individuals are to incur no liability as a result of any injury arising from the self-administration of medication, provided, however, this indemnity and hold harmless commitment does not apply to the willful and wonton conduct of the foregoing indemnitees.

Parent/Guardian Signature

Date of Signature

Students

Orders to Forgo Life-Sustaining Treatment ¹

Written orders from parent(s)/guardian(s) to forgo life-sustaining treatment for their child or ward must be signed by the child's physician and given to the Building Principal or Superintendent. This policy shall be interpreted in accordance with the Illinois Health Care Surrogate Act (755 ILCS 40/1 et seq.). ²

Whenever an order to forgo life-sustaining treatment is received, the Superintendent shall convene a multi-disciplinary team that includes the child's parent(s)/guardian(s) and physician, as well as school personnel designated by the Superintendent. ³ The team shall determine specific interventions to be used by school staff members in the event the child suffers a life-threatening episode at school or a school event. The District personnel shall convey orders to forgo life-sustaining treatment to the appropriate emergency or healthcare provider.

LEGAL REF.: 755 ILCS 40/1 et seq.
Cruzan v. Director, Missouri Department of Health, 497 U.S. 261 (1990).
In re: C.A., a minor, 603 N.E.2d 1171 (Il. App. 1 Dist., 1992).

¹ State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled.

² The Health Care Surrogate Act grants parents the authority to decide whether to forgo life-sustaining treatment on behalf of their minor child in certain situations (755 ILCS 40/20). The child must suffer a "qualifying condition," which means the existence of a terminal condition, permanent unconsciousness, or incurable or irreversible condition. These terms are defined in the Act.

The Act does not address the obligation of school staff members to comply with orders to forgo life-sustaining treatment, including "do not resuscitate" orders. Rather, the Act is silent regarding directives on life-sustaining care outside a health care facility or performed by a non-health care provider. The law does, however, indicate who should be the ultimate decision maker – the parent(s) or guardian(s). School officials should use the Act, after consulting the district's attorney, as a guideline.

³ Implementing orders to forgo life-sustaining care implicates the laws prohibiting discrimination on the basis of a disability (IDEA, 20 U.S.C. § 1401; section 504, 29 U.S.C. § 794; ADA, 42 U.S.C. § 12101). A school agreeing to abide by such an order does so because of the disability's severity; a less severely disabled or non-disabled student would be treated differently. The U.S. Dept. of Education's Office of Civil Rights approved a policy that provided for a multi-disciplinary team to develop individually designed interventions. School staff members must use these interventions which might require honoring an order to forgo life-sustaining care (21 IDELR 83, 3-31-94). This sample policy balances the interests of the parents with the district's obligation under federal law by using such a team.

Students

Communicable and Chronic Infectious Disease 1 2

A student with or carrying a communicable and/or chronic infectious disease has all rights, privileges, and services provided by law and the District's policies. ³ The Superintendent will develop procedures for communicable and chronic infectious diseases for the Board's consideration.

LEGAL REF.: 105 ILCS 5/10-21.11.
 410 ILCS 315/2a.
 77 Ill. Admin Code 690.100 et seq.
 Individuals With Disabilities Education Act, 20 U.S.C. § 1400 et seq.
 Rehabilitation Act, Section 504, 29 U.S.C. § 794(a).

¹ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled.

² 105 ILCS 5/10-21.11 requires all districts to have a policy on the appropriate manner of managing children with chronic infectious diseases.

³ A student with a contagious disease is probably a "handicapped individual" under Section 504 of the Rehabilitation Act (29 U.S.C. § 794(a)). See: School Board of Nassau Co. v. Arline, 107 S.Ct. 1123 (1987) (teacher with tuberculosis was handicapped under section 504); Thomas v. Atascadero Unified School District, 662 F.Supp. 376 (C.D. Cal. 1986) (a child with AIDS was a "handicapped person" under section 504); District 27 Community School Board v. Board of Education of the City of New York, 502 N.Y.S. 2d 325 (1986).

Students with contagious diseases may also qualify for special education under the Individuals With Disabilities Education Act (20 U.S.C. § 1400 et seq.) A child who exhibits a physical or health impairment, either temporary or permanent, which interferes with his or her learning and/or which requires adaptation of the physical plant is eligible for special education programs and services (23 Ill. Admin. Code § 226.552).

Decisions to place a student in a class outside regular classes due to infectious disease must be based on medical evaluations indicating a need to protect the health and safety of others. Community High School District 155 v. Denz, 463 N.E.2d 998 (2nd Dist. 1984).

Cases involving contagious diseases are highly fact-specific. Generally, the appropriate treatment of a student depends on the severity of the disease and the risk of infecting others, but in all cases, legal counsel should be consulted.

Students

Administrative Procedure – Managing Students with Communicable or Infectious Disease

When a Building Principal receives notification that a student in the District has been diagnosed as having a communicable and chronic infectious disease, including but not limited to Acquired Immune Deficiency Syndrome (AIDS), AIDS-Related Complex (ARC), and Human Immunodeficiency Virus (HIV), the Principal shall immediately notify the Superintendent of the student's identity. The principal may, as necessary, disclose the identity of the infected student to those persons who, by federal or State law, are required to decide the placement or educational program of the student, the school nurse, and the applicable classroom teachers. Others may be informed as necessary, provided the student's identity is not revealed, unless otherwise permitted by law. All persons notified will be informed of the necessary precautions to be taken and of the confidentiality requirements involved.

The administration shall observe all rules of the Illinois Department of Public Health regarding communicable and chronic infectious disease. The Superintendent or designee shall develop and implement procedures for the District to report to the local health authority, where appropriate, known or suspected cases of a communicable and chronic infectious disease involving a District student. The collection and maintenance of a student's medical information shall be done in a manner which protects the student's privacy and is in accordance with State and federal laws regarding student records.

The determination of whether the student with a communicable and chronic infectious disease shall be permitted to attend school in a regular classroom setting or participate in school activities with other students shall be made on a case-by-case basis by the Communicable and Chronic Infectious Disease Review Team, the student's personal physician, local health authorities, and any other necessary school staff. The Chronic Infectious Disease Review Team shall consist of: (1) an outside school medical advisor; (2) the school nurse; and (3) an administrator responsible for planning and managing the educational program for the individual student with an infectious disease.

If the infected student is not permitted to attend school in a regular classroom or participate in school activities with other students, due to a determination that he or she poses a significant risk of transmission of a communicable and chronic infectious disease to other students and staff, every reasonable effort shall be made to provide the student with an adequate alternative education. State regulations and school policy regarding homebound instruction shall apply.

The removal of students with communicable and chronic infectious diseases from normal school attendance shall be reviewed by the Communicable and Chronic Infectious Disease

Review Team, in consultation with the student's personal physician and local public health authorities every month or as otherwise appropriate to determine whether the condition precipitating the removal has changed.

When a student returns to school after an absence due to a communicable and chronic infectious disease, the school administration may require that he or she present a certificate from a physician licensed in the State of Illinois stating that the student qualifies for re-admission to school under the rules of the Illinois Department of Public Health which regulate periods of incubation, communicability, quarantine and reporting.

If the parent(s)/guardian(s) disagree with the student's removal or alternative educational program, they may appeal to the Superintendent within 10 days of their notification of the decision of the Communicable and Chronic Infectious Disease Review Team. This request must be made in writing.

LEGAL REF.: 105 ILCS 5/10-21.11.
410 ILCS 315/2a.
Rules and Regulations for the Control of Communicable Diseases, Ill. Dept. of
Public Health
"Management of Chronic Infectious Disease in School Children" (Illinois State
Board of Education and Illinois Department of Public Health, Revised 2003)
77 Ill. Adm. Code 697.400 et seq.

Students

Exhibit - Reporting and Exclusion Requirements for Common Communicable Diseases ¹

Disease	Reporting Mandated to Local Health Authority	Exclusion Mandatory
Animal Bites (potential for rabies)	None	None
Bacterial Vaginosis	None	None
Chancroid	As soon as possible, but within 7 days	Case-by-case analysis required.
Chickenpox (Varicella)	Uncomplicated cases are reportable by age, sex, and week of onset; cases with complications, e.g., meningitis, are reportable within 7 days	Case must be isolated and excluded from school or day care for not less than 5 days after the eruption of the last vesicles or until the vesicles become dry.
Chlamydia	As soon as possible, but within 7 days	None
Common Cold	None	None
Cytomegalovirus (CMV)	None	None
Diphtheria	As soon as possible, but within 24 hours	Case must be isolated and excluded from day care or school until 2 successive cultures from both nose and throat, taken not less than 24 hours apart, are negative for diphtheria bacilli; or when virulence tests prove bacilli to be a virulent.
E. Coli 0157:H7	As soon as possible, but within 24 hours	Exclude until diarrhea ceases for at least 24 hours.
Fever	None	None

¹ These are included in the Illinois Department of Public Health publication, "Communicable Disease Guide 2002." This publication is currently available in hard copy only. School and day care personnel, nurses, nurse aides, health care practitioners, and parents, among others, must notify the local health authority if they have knowledge of a known or suspected case or carrier of communicable disease (77 Ill. Admin. Code 690.200). The time frames are contained in the Ill. Dept. of Public Health rules. The reports may be by telephone or in writing and must be kept confidential.

Fifth Disease/Erythema Infectiosum (Parvovirus B19)	None	Exclude case if fever is present or if child does not feel well enough to participate in usual activities.
Gastroenteritis (Viral)	None	Exclude case from school until clinical recovery, i.e., absence of diarrhea and fever.
Genital Candidiasis (Yeast)	None	None
Genital Warts (Human Papillomavirus, HPV)	None	None
Giardiasis	As soon as possible, but within 7 days	Exclude case from school until clinical recovery, i.e., absence of diarrhea and fever.
Gonorrhea	As soon as possible, but within 7 days	None
Hand, Foot and Mouth Disease (Coxsackievirus A16)	None	None
Head Lice	None	Exclude case from school until the day after the first shampoo, lotion, or cream rinse pediculicide is properly applied.
Hepatitis A	As soon as possible, but within 24 hours	Exclude cases from school during the 2 weeks following onset of symptoms, or for 1 week after the onset of jaundice.
Hepatitis B	As soon as possible, but within 7 days	Case-by-case analysis required.
Hepatitis C	As soon as possible, but within 7 days	None
Herpes Simplex Virus	None	Case should be excluded from contact sports, e.g., wrestling, if active lesions are present on the body (outside the genital area) until lesions have resolved.
Human Immunodeficiency Virus (HIV) or (AIDS)	As soon as possible, but within 7 days	Case-by-case analysis required.

Impetigo	None	Exclude case from school until 24 hours after treatment begins.
Infectious Mononucleosis	None	Case-by-case analysis required.
Influenza	None	Exclude case from day care or school until clinical recovery, i.e., absence of fever.
Measles	As soon as possible, but within 24 hours	Case must be isolated and excluded from school until 4 days after the appearance of the rash.
Meningitis (Bacterial)	As soon as possible, but within 24 hours	Exclude case from school until clinical recovery, i.e., absence of fever.
Meningitis (Viral)	As soon as possible, but within 7 days	Exclude case from school until clinical recovery, i.e., absence of fever.
Mumps	As soon as possible, but within 7 days	Case must be isolated and excluded from school until 9 days after the onset of swelling.
Non-Gonococcal Urethritis/Non-specific Vaginitis	None	None
Pertussis	As soon as possible, but within 24 hours	Case must be isolated and excluded from school until at least 5 days after the start of antibiotic therapy.
Pink Eye	None	Exclude case from school until 24 hours after the treatment begins or child is examined by a physician and approved for readmission to school.
Pinworms	None	Exclude case from school until 24 hours after treatment begins.
Polio	As soon as possible, but within 24 hours	Case must be isolated and excluded from school until the end of the acute phase of disease.

Pubic Lice (“Crabs”)	None	None
Rash	None	Case-by-case analysis required.
Respiratory Syncytial Virus (RSV)	None	Exclude case from school if child has a fever of 100° F or greater or is not well enough to participate.
Ringworm (body and scalp)	None	Exclude case from school until 24 hours after treatment begins and the lesion begins to shrink, unless lesion can be covered; a child need not be excluded if lesion(s) can be covered.
Rubella	As soon as possible, but within 7 days	Case should be isolated from school for 7 days after rash onset. Local school policies may exclude suspects or cases without a physician release.
Salmonellosis	As soon as possible, but within 7 days	Exclude case from school until clinical recovery, i.e., absence of fever and diarrhea.
Scabies	None	Exclude case from school until the day after the first scabicide treatment.
Shigellosis	As soon as possible, but within 7 days	Exclude case from school until clinical recovery, i.e., absence of fever and diarrhea.
Shingles	None	If shingles lesions cannot be covered, the case should be excluded until all lesions are crusted.
Streptococcal Sore Throat and Scarlet Fever	Cases without complications – None Cases with complications – as soon as possible, but within 24 hours	Exclude case from school until 24 hours after treatment begins; readmit provided fever is absent.
Syphilis	As soon as possible, but within 7 days	None
Trichomoniasis	None	None

Tuberculosis	As soon as possible, but within 7 days	Exclude case if considered to be infectious according to IDPH's rules and regulations for the control of TB. Case-by-case analysis required.
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Students

Adolescent Suicide Awareness and Prevention Programs ¹

The Superintendent or designee is directed to develop and implement a comprehensive and continuing adolescent suicide awareness and prevention program. ² The Superintendent will attempt to develop a liaison between the State or community mental health agency and the District to secure professional expertise and assistance.

LEGAL REF.: 105 ILCS 5/3-14.8 and 5/27-23.2.

CROSS REF.: 6:60 (Curriculum Content)

¹ State or federal law controls this policy's content.

² A suicide awareness and prevention program is optional. The Regional Superintendent must ensure that instruction on suicide awareness is offered at teachers' institutes conducted by him/her (105 ILCS 5/3-14.8). The State Board of Education must develop a model curriculum for reducing self-destructive behavior (105 ILCS 5/27-23.2).

Students

Administrative Procedure - Adolescent Suicide and Crisis Intervention

- I. Identification of the at-risk student:
 - A. An employee having any reason to believe a student is considering or threatening suicide is to contact the Building Principal and District social worker/counselor.
 - B. The social worker/counselor or Principal will meet with the student.
 - C. The social worker/counselor will call the student's parent(s)/guardian(s) and arrange a meeting.
 1. All calls and meetings with parent(s)/guardian(s) will be documented and a copy of the documentation sent by certified mail to the parent(s)/guardian(s).
 2. The social worker/counselor will suggest to the parent(s)/guardian(s) that the state or community mental health agency be contacted. This suggestion shall be a part of the documentation sent to the parent(s)/guardian(s).
 - D. An employee should immediately contact a student's parent(s)/guardian(s) anytime the employee reasonably believes the student is in imminent risk of suicide.
- II. Documentation regarding the at-risk student:
 - A. District employees shall take notes on any conversations which involve or relate to the at-risk student. The notes shall become a part of a written report to the Building Principal.
 - B. Conversations which involve or relate to the at-risk student shall be confirmed in writing with the other party(s).
 - C. The Superintendent shall receive a copy of all reports and documentation regarding the at-risk student.
 - D. The social worker/counselor shall prepare a report of the situation for the student's records.

Students

Extracurricular Athletics Activities ¹

~~Student participation in school-sponsored extracurricular athletic activities is contingent upon the following~~ Participation in extracurricular athletics is a privilege and not a right. Students participating in extracurricular athletics are expected to adhere to the rules of conduct and sportsmanship developed by the athletic director and the coach of the program. The failure to do so may result in the loss of participation privileges and other disciplinary action. In order to participate in school-sponsored extracurricular athletic activities, students must meet the following criteria:

- ~~1. The student must meet the academic criteria set forth in the Board policy on school-sponsored extracurricular activities.~~ ²
- ~~2.~~ 1. The parent(s)/guardian(s) must provide written permission for the student's participation, giving the District full waiver of responsibility of the risks involved; and
- ~~3.~~ 2. The student must present a certificate of physical fitness issued by a licensed physician, an advanced practice nurse, or a physician assistant who assures that the student's health status allows for active athletic participation. ³
- ~~4. The student must show proof of accident insurance coverage either by a policy purchased through the District approved insurance plan or a parent(s)/guardian(s) written statement that the student is covered under a family insurance plan.~~ ⁴
- ~~5. The student and his or her parent(s)/guardian(s) must provide written consent to random drug and alcohol testing pursuant to the Extracurricular Drug and Alcohol Testing Program.~~ ⁵

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

¹ State or federal law controls this policy's content.

² A comprehensive Student Handbook can provide notice to parents and students of the school's conduct rules, extracurricular and athletic participation requirements, and other important information. The building principal usually develops the Handbook, subject to review and approval by the superintendent and board.

Each school board in a district that maintains any of grades 9 through 12 must have a *no pass-no play* policy (105 ILCS 5/10-20.30). See policy 6:190 for complete details.

For purposes of clarity, the IASB uses a curricular-extracurricular dichotomy. All classes are included in the category "curricular" as well as what was formally known as co-curricular, e.g., band and choral performances that are a required part of the class. The category "extracurricular" includes all school-sponsored activities that are not a part of a student's educational program as reflected in the student's class schedule. Examples include football, cheerleading, French club, Key Club, and student government. Note that extracurricular activities may be curriculum-related or non-curriculum-related for purposes of determining access to school facilities under the federal Equal Access Act. See sample IASB policy 7:330, *Student Use of Buildings – Equal Access*.

³ Students participating in interscholastic athletics must have an annual physical exam (23 Ill. Admin. Code § 1.530(b). The Illinois High School Association, by-law 2.140, requires schools to have on file for each student participating in interscholastic athletics a certificate of physical fitness issued by a licensed physician, physician's assistant, or nurse practitioner.

⁴ 105 ILCS 5/22-15 allows districts to purchase insurance on athletes.

⁵ Optional, but must be consistent with policy 7:240. The Seventh Circuit upheld the constitutionality of a high school's random drug testing program for students involved in extracurricular activities in Todd v. Rush County Schools, 133 F.3d 984 (7th Cir. 1998).

LEGAL REF.: 105 ILCS 5/10-20.30.
23 Ill. Admin. Code § 1.530(b).

CROSS REF.: 4:170 (Safety), 6:190 (Extracurricular and Co-Curricular Activities), 7:240
(Conduct Code for Participants in Extracurricular Activities), 7:330 (Student Use
of Buildings - Equal Access)

Students

Participation in Extracurricular Athletics Consent and Waiver Form

Parent Participation Agreement

My son/daughter has my permission to try-out, practice and participate in the following athletic activities sponsored by Glen Ellyn School District 41:

I realize and accept that participation in such activities involves inherent risk and the potential for injuries, some of which could be so severe as to result in disability, paralysis, or even death. If an illness or injury to my son/daughter occurs and I cannot be immediately contacted or if there is not sufficient time to attempt to make contact, I hereby authorize the school personnel in charge to provide for first aid treatment, and for emergency hospitalization, as they deem necessary or appropriate under the circumstances. In addition, I agree to indemnify, defend and hold harmless Glen Ellyn School District 41, the Board of Education and its members, employees, agents, and volunteers from any claim, loss, expense or damages arising from any injury or loss, including attorneys fees, suffered by my student, or as a result of my student's acts or omissions in connection with the trip. This agreement includes a claim brought by any person or entity, including my student. I further agree not to bring any such claim, through lawsuit or otherwise, either directly or on behalf of my student or any other person.

Parent Signature

Date

Student Participation Agreement

In consideration of Glen Ellyn School District 41 allowing me to participate in (insert name of activity), I agree to abide by the rules for participation set forth by the coach and athletic director, and to behave in a sportsmanlike manner. I further agree to follow the instructions, training/practice schedule, and safety instructions of my coach(es).

Student Signature

Date

Students

Exhibit - Certificate of Physical Fitness for Participation in Athletics 1

After completion by parent/guardian, please return to Building Principal.

Student:	
Sport/Activity:	Date of Birth:

I am the parent(s)/guardian(s) of the above student. I certify that my child/ward is in good physical health and is capable of participation in the above-mentioned sport or activity. No need exists to limit his/her participation. I assume full responsibility for his/her physical condition and participation. I will notify you of any changes in his/her physical condition.

Parent/Guardian (please print):		
Home Address:		
Home Phone:	Business Phone:	Cell Phone:
Physician:	Phone:	

Student's Medical History:	Heart Condition	Yes	No
	Allergies	Yes	No
	Diabetes	Yes	No
	Epilepsy	Yes	No
	Asthma	Yes	No
	Other:	_____	

Any injuries and/or surgical procedures during the past year? (include dates) _____

Has the student's physical activity been restricted during the past year? (include reason and duration) _____

Is the student currently taking any medication? Yes No

If Yes, please provide name of medication frequency, dosage, and reason for taking: _____

Parent/Guardian Signature: _____

Date: _____

Signature of physician, physician's assistant, or nurse practitioner: _____

Date: _____

¹ Secondary schools should substitute the IHSA's Participation Examination for this form when the sport is IHSA regulated.

Students

Exhibit - Authorization for Medical Treatment Form

To be submitted to the Superintendent

Student:	
Sport/Activity:	Date of Birth:
Home Address:	
Home Phone:	

To whom it may concern: In the event reasonable attempts to contact me at the locations listed below are unsuccessful, I, as parent or legal guardian of the above student, do hereby authorize: (1) the treatment by a licensed medical physician of my child/ward in the event of a medical emergency which, in the opinion of the attending physician, may endanger his/her life, cause disfigurement, physical impairment, or undue discomfort if delayed, and (2) the transfer of my child/ward to any hospital reasonably accessible.

This release form is completed and signed with the purpose of authorizing medical treatment under emergency circumstances in my absence. *(please print)*

Name and relation to student:	
Address:	
Home Phone:	Business Phone:
Cell Phone:	Other Phone:

Emergency contact:	
Home Phone:	Business Phone:
Cell Phone:	Other Phone:

Physician:	Phone:
------------	--------

Allergies, Medicines, or Other Conditions: <i>(please list)</i>

Parent/Guardian Signature: _____

Date: _____

Students

Conduct Code for Participants in Extracurricular Activities ¹

The Superintendent or designee, ² using input from coaches and sponsors of extracurricular activities, shall develop a conduct code for all participants in extracurricular activities consistent with Board policy. ³ The conduct code shall: (1) require participants in extracurricular activities to conduct themselves at all times, including after school and on days when school is not in session, and whether on and off school property, as good citizens and exemplars of their school, and (2) notify participants that failure to abide by it could result in removal from the activity. ⁴ The conduct code shall be reviewed by the Building Principal periodically at his or her discretion and presented to the School Board.

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

Extracurricular Drug and Alcohol Testing Program ⁵

~~The District maintains an extracurricular drug and alcohol testing program in order to foster the health, safety, and welfare of its students. Participation in extracurricular activities is a privilege and participants need to be exemplars. The program promotes healthy and drug-free participation.~~

~~Each student and his or her parent(s)/guardian(s) must consent to random drug and alcohol testing in order to participate in any extracurricular activity. Failure to sign a "Random Drug and Alcohol Testing Consent" form will result in non-participation.~~

~~If a test is "positive," the student will not participate in extracurricular activities until after a "follow-up" test is requested by the Building Principal or designee and the results are reported. The Building Principal or designee will request a "follow-up" test after such an interval of time that the substance previously found would normally be eliminated from the body. If this "follow-up" test is negative,~~

¹ State or federal law controls this policy's content.

² Alternatively, this duty could be given the building principal.

³ Optional:

...and the rules adopted by any association in which the School District maintains a membership.

⁴ In most cases involving a student's removal from an extracurricular activity, courts have ruled that participation in extracurricular programs is a privilege rather than a right. Clements v. Board of Education of Decatur Public School District No. 61, 478 N.E.2d 1209 (Ill. App. 4th Dist., 1985). The deprivation of a privilege does not trigger the Constitution's due process provision. Consequently, unlike school attendance, students generally have no constitutional right to participate in extracurricular programs. See also Kevin Jordan v. O'Fallon THSD 203, 706 N.E.2d 137 (Ill. App. 5th Dist., 1999). This case involved a type of "good citizen" rule in which all student-participants in extracurricular activities agreed to abide by the school's ban on alcohol and drug use. Pursuant to this rule, the school suspended a star football player who police had found intoxicated at a convenience store around 3:00 A.M. The suspension was upheld. Nevertheless, participants who violate the conduct code should be allowed to give an explanation before being removed from the activity.

⁵ This program is optional. The U.S. Supreme Court upheld the constitutionality of a student activities drug testing policy that required all middle and high school students to consent to random urinalysis testing for drugs in order to participate in any extracurricular activity. Board of Education of Independent School Dist. No. 92 v. Earls et al., 122 S.Ct. 2559 (2002). This sample policy, as well as the procedures and forms implementing it, are based on the policy approved by the Seventh Circuit in Todd v. Rush County Schools, 133 F.3d 984 (7th Cir., 1998). Alternatively, this program may be limited to extracurricular athletic participants; if so, add the *Program* to 7:300 and delete it from here.

~~the student will be allowed to resume extracurricular activities. If a “positive” result is obtained from the “follow-up” test, or any later test, the same previous procedure shall be followed.~~

~~The Superintendent or designee shall develop procedures to implement this policy. No student shall be expelled or suspended from school as a result of any verified positive test conducted under this program other than when independent reasonable suspicion of drug and/or alcohol usage exists. This program does not affect the policies, practices, or rights of the District to search or test any student who at the time exhibits cause for reasonable suspicion of drug and/or alcohol use.~~

LEGAL REF.: Board of Education of Independent School Dist. No. 92 v. Earls et al., 122 S.Ct. 2559 (2002).
Clements v. Board of Education of Decatur, 478 N.E.2d 1209 (Ill. App. 4th Dist., 1985).
Kevin Jordan v. O’Fallon THSD 203, 706 N.E.2d 137 (Ill. App. 5th Dist., 1999).
Todd v. Rush County Schools, 133 F.3d 984 (7th Cir., 1998).
Veronica School Dist. 475 v. Acton, 515 U.S. 646 (1995).
105 ILCS 5/24-24

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

Students

Extracurricular Athletics ¹

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

1. The student must meet the academic criteria set forth in the Board policy on school sponsored extracurricular activities. ²
2. The parent(s)/guardian(s) must provide written permission for the student's participation, giving the District full waiver of responsibility of the risks involved.
3. The student must present a certificate of physical fitness issued by a licensed physician, an advanced practice nurse, or a physician assistant who assures that the student's health status allows for active athletic participation. ³
4. The student must show proof of accident insurance coverage either by a policy purchased through the District-approved insurance plan or a parent(s)/guardian(s) written statement that the student is covered under a family insurance plan. ⁴
5. The student and his or her parent(s)/guardian(s) must provide written consent to random drug and alcohol testing pursuant to the Extracurricular Drug and Alcohol Testing Program. ⁵

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

¹ State or federal law controls this policy's content.

² A comprehensive Student Handbook can provide notice to parents and students of the school's conduct rules, extracurricular and athletic participation requirements, and other important information. The building principal usually develops the Handbook, subject to review and approval by the superintendent and board.

Each school board in a district that maintains any of grades 9 through 12 must have a *no pass-no play* policy (105 ILCS 5/10-20.30). See policy 6:190 for complete details.

For purposes of clarity, the IASB uses a curricular-extracurricular dichotomy. All classes are included in the category "curricular" as well as what was formally known as co-curricular, e.g., band and choral performances that are a required part of the class. The category "extracurricular" includes all school-sponsored activities that are not a part of a student's educational program as reflected in the student's class schedule. Examples include football, cheerleading, French club, Key Club, and student government. Note that extracurricular activities may be curriculum-related or non-curriculum-related for purposes of determining access to school facilities under the federal Equal Access Act. See sample IASB policy 7:330, *Student Use of Buildings – Equal Access*.

³ Students participating in interscholastic athletics must have an annual physical exam (23 Ill. Admin. Code § 1.530(b)). The Illinois High School Association, by-law 2.140, requires schools to have on file for each student participating in interscholastic athletics a certificate of physical fitness issued by a licensed physician, physician's assistant, or nurse practitioner.

⁴ 105 ILCS 5/22-15 allows districts to purchase insurance on athletes.

⁵ Optional, but must be consistent with policy 7:240. The Seventh Circuit upheld the constitutionality of a high school's random drug testing program for students involved in extracurricular activities in Todd v. Rush County Schools, 133 F.3d 984 (7th Cir. 1998).

LEGAL REF.: 105 ILCS 5/10-20.30.
23 Ill. Admin. Code § 1.530(b).

CROSS REF.: 4:170 (Safety), 6:190 (Extracurricular and Co-Curricular Activities), 7:240
(Conduct Code for Participants in Extracurricular Activities), 7:330 (Student Use
of Buildings - Equal Access)

Students

Administrative Procedure - Student Government

Student governments may be established in individual school buildings as indicated by the policy statement. In establishing such governments, the following conditions shall apply:

1. Principal (or designee) will be responsible for determining the means by which the student government will function. School building staffs are encouraged to be involved in this process.
2. The government should be representative, with the numbers of representatives to be determined by the principal. Involvement of staff may again be sought to help make this determination.
3. The principal or his designee should inform the local building staff regarding the purpose of the government, how it will function, and all other matters pertinent to this organization. He shall constantly keep the staff aware of the progress of this group.
4. The principal or his designee should be in attendance at all meetings of the student government. Their role should be supportive and facilitative.

Students

Student Social Events

All school sponsored social events for pupils require the approval of the principal in conjunction with rules and regulations developed by the Superintendent.

Students

Administrative Procedure - Student Social Events

Planned social events for all students will be carried out in the following manner:

1. Elementary Level

There will be no after school social events planned for the K-5 students unless the events are associated with a PTA or School Board function.

An exception can be granted and approved by the Superintendent for a “special” social event only when the building principal has placed in writing to the Superintendent the reason and recommendation for such event to take place. Final approval rests with the Superintendent.

2. Junior High Level

Two social events for each grade level may be planned but in accordance with rules and regulations established by the building principal.

PTA sponsored social events, one for each grade level, may be in addition to the school’s planned socials; however, the building principal will be involved in the planning and will approve the activities planned.

Students and staff should be an important part of the planning of all student social events, as well as in accepting specific responsibilities as assigned.

3. General

All approved student social events will have ample adult supervision by staff and parents.

Any student social event planned within the student school day must be approved by the building principal and held on the school’s premises. Any deviation will be approved by the Board of Education.

Students

School-Sponsored Activities

School-sponsored activities include: activities sanctioned by the School District through granting of a stipend to a sponsor; club activities which have received the written approval of the Superintendent and are sponsored by a staff volunteer, after consideration of the recommendation of the Principal. No other activities will be considered school-sponsored.

Unless otherwise authorized by the Superintendent, the School District will not be responsible for supervision, transportation or any expenditures associated with non-school sponsored activities. However, the Superintendent or Principal may allow non-school sponsored, community-based student groups or school support groups to use school facilities with or without cost where deemed beneficial to the School District's students and not likely to jeopardize the safety and security of other persons or school facilities. Publicity in or through the schools about a non-school-sponsored activity must be approved in writing by the Superintendent or Principal, be separated from publicity for school-sponsored activities and include a disclaimer of school sponsorship acceptable to the Superintendent or Principal.

Students

Administrative Procedure – School-Sponsored Activities

Disclaimer

The (describe organization and purpose) is not sponsored by, or affiliated with, Glen Ellyn School District 41. The School District has no responsibility for, and no duties in connection with, the organization's activities. If a parent, guardian, any participant or anyone doing business with the organization experiences any injury or other loss in connection with these activities, neither the parent/guardian, the participant or any other person or entity may assert a claim against, or recover money from the School District. The term "School District" includes the Board of Education and its members, and all employees, agents, ~~and~~ representatives and volunteers.

Students

Administrative Procedure – Student Transportation

The Board shall provide bus transportation for District 41 students in accordance with State Rules and Regulations.

Students

Publications ¹

School-Sponsored Publications and Web Sites

School-sponsored publications, productions, and web sites are part of the curriculum and are not a public forum for general student use. ² School authorities may edit or delete material that is inconsistent with the District's educational mission.

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

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

Non-School-Sponsored Publications and Web Sites ³

Students are prohibited from accessing and/or distributing at school any written or electronic material, including material from the Internet:

1. That will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities; ⁴
2. That violates the rights of others, including but not limited to material that is libelous, invades the privacy of others, or infringes on a copyright;
3. That is socially inappropriate or inappropriate due to maturity level of the students, including but not limited to material that is obscene, pornographic, or pervasively lewd and vulgar, or contains indecent and vulgar language;
4. That is primarily intended for the immediate solicitation of funds; or

¹ State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled.

² School authorities may reasonably regulate student expression in school-sponsored publications for education-related reasons. Hazelwood School District v. Kuhlmeier, 108 S.Ct. 562 (1988). This policy allows such control by clearly stating that school-sponsored publications are not a "public forum" open for general student use but are, instead, part of the curriculum.

A school board that does not retain control of student publications can anticipate at least two problems: (1) how to keep content consistent with the district's mission, and (2) how to ensure that the Constitutional rights of third parties are not violated by student journalists. Concerning the second problem, a third party may seek to hold the district responsible for the student journalists' acts. See Yeo v. Town of Lexington, 131 F.3d 821 (1st Cir. 1998) (While the school district ultimately was successful here, it was a close case from a circuit with no jurisdiction over Illinois.).

³ Non-school-sponsored publications, like underground newspapers, cannot be subject to the same degree of regulation by school authorities as school-sponsored publications. Absent a showing of material and substantial interference with the requirements of good discipline, students retain their First Amendment free speech rights. The federal circuits disagree on whether school authorities may require prior approval before a student is allowed to distribute non-school-sponsored publications. The Seventh Circuit, which covers Illinois, refused to approve prior approval regulations. Fujishima v. Board of Education, 460 F.2d 1355 (7th Cir. 1972), but see Baughman v. Freienmuth, 478 F.2d 1345 (4th Cir. 1973). Non-school sponsored web sites should be regulated in the same manner as non-school sponsored publications.

A school policy prohibiting junior high students from distributing written material at school that is prepared by non-students was upheld in Hedges v. Wauconda Community Unit School Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

⁴ For example, a school district may discipline a student for writing an underground newspaper, and distributing it at school, that contained an article on how to hack into the school's computer. School authorities could reasonably believe the article would be disruptive. Boucher v. School Board of the School District of Greenfield, 134 F.3d 821 (7th Cir., 1998).

5. That, in kindergarten through eighth grade, is primarily prepared by non-students, unless it is being used for school purposes. Nothing herein shall be interpreted to prevent the inclusion of material from outside sources or the citation to such outside source as long as the material to be distributed or accessed is primarily prepared by students. ⁵

The distribution of non-school-sponsored written material shall occur at a time and place and in a manner that will not cause disruption, be coercive, or result in the perception that the distribution or the material is endorsed by the School District.

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

LEGAL REF.: Hazelwood v. Kuhlmeier, 108 S.Ct. 562 (1988).
Hedges v. Wauconda Community Unit School Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

CROSS REF.: 6:235 (Access to Electronic Networks)

⁵ Optional. The rationale for this section is that prior to high school, students have not developed sufficient experience and education in critical review of external resource materials. Accordingly, in order to accomplish the district's educational mission, yet allow students the opportunity to communicate with their fellow students, widespread student distribution of written material in elementary and middle school may be limited to material primarily prepared by the students themselves. Hedges v. Wauconda Community Unit School Dist. No. 118, 9 F.3rd 1295 (7th Cir. 1993).

Students

Administrative Procedure - Distribution of Non-School Sponsored Written Material on School Grounds ¹

- A. When a student or students, who as an individual or a group, seeks to distribute more than 10 copies of the same written material on one or more days to students, he/she must comply with the following procedures:
1. At least 24 hours before any distribution of material, the student shall notify the Building Principal of his/her intent to distribute, in writing.
 2. Material may be distributed at times selected by the Building Principal before the beginning or ending of classes at a central location or locations inside the building selected by the Building Principal.
 3. The Building Principal may limit places of distribution, limit the number of students distributing material, or restrict the manner of distribution whenever necessary to prevent disruption, congestion, or the perception that the material being distributed is school-endorsed.
 4. Distribution must be done in an orderly and peaceful manner. Distribution which is coercive so as to affect any person's right to accept or reject any offered material is prohibited.
 5. The distribution shall be conducted in a manner which does not cause additional work for school personnel. Therefore, students who distribute material are responsible for cleaning up any materials thrown on school grounds.
 6. Students shall not distribute written material:
 - a. Which will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities;
 - b. Which violates the rights of others, including but not limited to, material that is libelous, invades the privacy of others, or infringes on a copyright;
 - c. Which is socially inappropriate or inappropriate due to the students' maturity level, including, but not limited to, material that is obscene, pornographic, or pervasively lewd and vulgar, or contains indecent and vulgar language;
 - d. Which is primarily intended for the immediate solicitation of funds; or
 - e. Which, in elementary and/or middle schools, is primarily prepared by non-students.
 7. A student may appeal the denial of a request to distribute written material to the Superintendent by notifying the Building Principal, in writing. The student may appeal the Superintendent's decision to the School Board by notifying the Building Principal or Superintendent, in writing. The Board or a Board committee shall meet to review the Superintendent's decision within 5 business days of the Superintendent's decision and render a decision. If the committee of the Board makes the decision, the full Board shall review the decision of the committee and promptly issue a decision.
 8. Whenever these procedures require written notification, the appropriate administrator may assist the student in preparing such notification, when necessary.
- B. When a student or students, who as an individual or a group, seeks to distribute 10 copies or less of the same written material on one or more days to students, he/she shall distribute such material

¹ State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled.

at times and places and in a manner that will not cause substantial disruption of the proper and orderly operation and discipline of the school or school activities and in conformance with paragraphs 4, 5, and 6 of Section A of these administrative procedures. If a student is prevented from distributing written material on the grounds that he/she violated this policy, the student may appeal the decision in accordance with paragraph 7 of Section A.

LEGAL REF.: Hazelwood v. Kuhlmeier, 108 S.Ct. 562 (1988).
 Hedges v. Wauconda Community Unit School Dist. No. 118, 9 F.3d 1295 (7th Cir.
 1993).

Students

Student Fund-Raising Activities ¹

Students should not be used to promote fund-raising activities by non-school sponsored groups except those which are of a school-wide nature in which participation can be a positive experience for students and when the proceeds contribute to a recognized humanitarian purpose.

Fund-raising plans approved by the Building Principal shall be submitted to the Superintendent for approval. The funds shall be used to the maximum extent possible for student activities. ²

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

CROSS REF.: 4:90 (Student Activity Fund Management)

¹ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content.

² Districts must have a policy governing student fund-raising activities which assures that collected funds will be used for their designed purpose (105 ILCS 5/10-20.19).

Students

Student Use of Buildings - Equal Access ^{1 2}

Student groups, clubs, or organizations that are not school sponsored or directed may meet on school premises provided their meeting fulfills all of the following conditions: ³

1. The meeting is held during those noninstructional times identified by the Superintendent or designee for noncurricular student groups, clubs, or organizations to meet. "Noninstructional time" means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends. "Noncurricular student groups" are those student groups, clubs, or organizations that do not directly relate to the curriculum. ⁴
2. The meeting is student-initiated, meaning that the request is made by a student(s).
3. Attendance at the meeting is voluntary.
4. The school will not sponsor the meeting.
5. School employees are present at religious meetings only in a non-participatory capacity.
6. The meeting and/or any activities during the meeting do not materially or substantially interfere with the orderly conduct of educational activities.
7. Non-school persons do not direct, conduct, control, or regularly attend the meetings.

¹ State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled.

² This sample policy should be adopted by districts with secondary school(s) that wish to establish or already have a "limited open forum" as that term is defined in the Equal Access Act and quoted below.

The Equal Access Act requires a secondary school to grant fair opportunity or "equal access" to students who wish to conduct a meeting within a *limited open forum* without regard to the religious, political, philosophical, or other content of the speech at such a meeting (emphasis added). A secondary school has a *limited open forum* whenever it "grants an offering to or opportunity for one or more noncurriculum related student groups to meet on school premises during noninstructional time." (20 U.S.C. § 4071(a)). Thus, the Act's equal access obligation is triggered even if a school allows only one "noncurriculum related" group to meet.

The Equal Access Act's requirements may be avoided by closing the forum, i.e., by refusing to permit any noncurriculum related groups to use its facilities (thereby creating a closed forum). Creating a closed forum is difficult, however, because of the very expansive interpretation given "noncurriculum related" by the U.S. Supreme Court.

"Noncurriculum related student group" is any student group that does not directly relate to the body of courses offered by the school. Board of Education of Westside Community School Dist. v. Mergens, 110 S.Ct. 2356 (1990). School officials cannot avoid triggering the Act's equal access requirements by tying the purposes of the student clubs it wants to allow to some broadly defined educational goal. Likewise, it does not matter whether the school sponsors, recognizes, or supports the student group – the Act's equal access requirements will be triggered whenever any student group is allowed to meet that is unrelated to the curriculum. Conversely, the Mergens Court said that a student group directly relates to a school's curriculum only if:

1. The group's subject matter is actually taught, or will soon be taught, in a regularly offered course;
2. The group's subject matter concerns a body of courses as a whole; or
3. Participation in the group is required for a particular course or results in academic credit.

Determining whether a particular student group is "noncurriculum related" is a very fact-sensitive inquiry.

A school violates the Equal Access Act by allowing some student groups to meet on campus but refusing similar access to gay-lesbian clubs. Colin v. Orange Unified School Dist., 83 F.Supp.2d 1135 (C.D. Cal. 2000). Note the U.S. Supreme Court refused to apply N.J.'s public accommodation law to the Boy Scouts because forcing the Boy Scouts to accept a homosexual as a member would violate the Scouts' freedom of expressive association. Boy Scouts of America v. Dale, 120 S.Ct. 2093 (2000).

³ All of the listed conditions are from the Equal Access Act, except for #9 and #10.

⁴ 20 U.S.C. § 4072.

8. The school retains its authority to maintain order and discipline. ⁵
 9. All noncurriculum related student groups that are not District sponsored receive substantially the same treatment. ⁶
 10. The Superintendent or designee approves the meeting or series of meetings.
- The Superintendent or designee shall develop administrative procedures to implement this policy.

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

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

⁵ In response to a school's invitation for all student groups to paint murals in the school hallway, a Bible club sought to include a large cross. The school principal forbid the cross in order to avoid conflicts among students – there was evidence the student body contained Satanic and neo-Nazi adherents. The principal's decision was insulated from liability under the Equal Access Act by the Act's provision that "nothing in [the Act] shall be construed to limit the authority of the school ... to maintain order and discipline on school premises." Gernetzke v. Kenosha Unified School Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), *cert. denied*, 122 S.Ct. 1606.

⁶ The Ninth Circuit Court of Appeals found that a school district violated the Equal Access Act and the student's First Amendment rights by denying her Bible club the same rights and benefits as other student clubs. Prince v. Jacoby, 303 F.3d 1074 (9th Cir. 2002). Nothing in the decision suggests that the school was required to "sponsor" the Bible club and financially support it. However, the board voluntarily gave "associated student body" clubs certain benefits that were denied the plaintiff's religious club. Thus, the district unlawfully treated one noncurriculum related student club differently from another noncurriculum related student club.

Students

Administrative Procedure - Student Use of Buildings and Equal Access

Student clubs and student groups that are not school-sponsored may meet on school premises under the following conditions:

1. The meeting must be student-initiated, meaning that a request to use school premises is made by a student(s).
2. The meeting occurs during a limited open forum, meaning that the meeting must occur during the time the school grants noncurriculum related student groups an opportunity to meet on school premises during noninstructional time.
3. In scheduling the use of school premises, activities associated with the District educational program have priority over the activities of any other organization. Otherwise, school premises will be available on a first come first served basis.

~~4. The following times and locations are available for noncurricular student group meetings: 1~~

~~Times: _____ Location: _____~~

~~5.4.~~ The assigned room and its contents must be restored to its original condition and configuration after each use. Only modular furniture may be moved. Nothing shall be adhered or affixed to walls that will leave marks. Any decorations used shall be removed after the meeting. The contents of any assigned room are the property of the School District or teacher and shall not be handled or removed.

~~6.5.~~ No activity is allowed on school grounds that would violate the student disciplinary policy. Any student who engages in misconduct is subject to disciplinary action, including suspension and expulsion.

~~7.6.~~ The following mediums are available on request to announce group meetings: 2

Office bulletin board containing announcements

~~Public address system~~

~~Student newspaper~~

~~School or District Website~~

~~8.7.~~ The student who requested the use of a school facility must inform the school office of any non-school individual who may be attending the meeting and the purpose of his or her attendance. All visitors must register at the school office before proceeding to any scheduled student meeting. Non-school individuals may not regularly attend meetings.

~~9.8.~~ Any student desiring to hold a student meeting on school premises must submit a completed *Request Form for Noncurricular Student Groups to Use School Facilities* to the Building Principal. The request should be made at least one week in advance.

¹ This should be locally determined. Be sure, however, that all non-curricular student groups have an equal opportunity for access to school facilities whenever the school grants an offering or opportunity for one or more noncurriculum related student groups to meet on school premises during "noninstructional time." 20 U.S.C. § 4071(b).

² This should be locally determined.

Students

Exhibit - Request Form for Noncurricular Student Groups to Use School Facilities

Student groups are expected to return the room(s), including furniture, to its original condition and configuration after each use. The contents of assigned room(s) are the private property of the School District. Before any meeting, the requesting student must give the office the name of anyone attending the meeting who is neither a student nor a school staff member. When a copy of this form is returned to you with the necessary approval signatures, your group may begin its activities.

Return this form to the Building Principal for approval

Student's Name:		
Group's Name:		
Description/Purpose of Activity:		
Room Requested:		
Will non-school individuals direct, conduct, control, or regularly attend meetings?	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Will decorations be used?	<input type="checkbox"/> No	<input type="checkbox"/> Yes; how will they be affixed?
Materials to be brought into/near building: (be specific)	Material: Purpose:	
Activity Date(s):	Start Time:	End Time:
How will students attending the meeting(s) be made aware that student discipline rules apply during the meeting and at all times while they are on school property?	<input type="checkbox"/> They will be told by the student signing this form. <input type="checkbox"/> They will receive a written explanation. <input type="checkbox"/> Other: _____	
<i>By signing this form, you agree to comply with the School District's policy and procedure on student use of school facilities.</i>		
Student's Signature:	Date:	

OFFICE USE ONLY

Date Request Received:	Date Approved:
Received By:	Approved By:
Room(s) Assigned:	Approval Signature:
Student's identification was verified by:	

Students

Student Records

School student records are confidential and information from them shall not be released other than as provided by law. Any record that contains personally identifiable information or other information that would link the document to an individual student is a school student record if maintained by the District, except: (1) records that are kept in the sole possession of a school staff member, are destroyed not later than the student's graduation or permanent withdrawal, and are not accessible or revealed to any other person except a temporary substitute teacher, and (2) records kept by law enforcement officials working in the school.

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

The Superintendent shall implement this policy with administrative procedures. The Superintendent shall also designate a *records custodian* who shall maintain student records. The Superintendent or designee shall inform staff members of this policy, and shall inform students and their parent(s)/guardian(s) of it, as well as their rights regarding student school records.

Records Custodian

Name	<u>Assistant Business Manager</u>
Address	<u>Glen Ellyn School District 41</u> <u>793 N. Main St., Glen Ellyn, IL</u>
Telephone No.	<u>630-534-7221</u>

LEGAL REF.: Chicago Tribune Co. v. Chicago Bd. of Ed., 773 N.E.2d 674 (Ill.App. 1 Dist. 2002).
Owasso I.S.D. No. I-011 v. Falvo, 122 S.Ct. 934 (2002).
Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99.
Children's Privacy Protection and Parental Empowerment Act, P.A. 93-462
105 ILCS 5/10-20.37, 5/14-1.01 et seq., and 10/1 et seq.
50 ILCS 205/7.
23 Ill. Admin. Code §§226 and 375.

CROSS REF.: 7:15 (Student and Family Privacy Rights)

ADMIN PROC.: 7:15-E (Exhibit - Notification to Parents of Family Privacy Rights), 7:340-AP (Administrative Procedure - Student Records), 7:340-E (Exhibit - Notification of Rights Concerning a Student's School Records)

Reviewed: October 18, 2004
Adopted: October 18, 2004
Revisions Adopted: January 24, 2005

Students

Administrative Procedure - Student Records

Student Records Defined

A student record is any record that contains personally identifiable information or other information that would link the document to an individual student if it is maintained by the District, except records kept: (1) in a school staff member's sole possession destroyed not later than the student's graduation or permanent withdrawal, and not accessible or revealed to any other person except a temporary substitute teacher, or (2) by law enforcement officials working in the school.

Maintenance of School Student Records

The District maintains two types of school records for each student: a *permanent* record and a *temporary* record. These records may be integrated.

The *permanent record* shall include:

- Basic identifying information
- Academic transcripts
- Attendance record
- Accident and health reports
- Information pertaining to release of this record
- Honors and awards
- School-sponsored activities and athletics

No other information shall be placed in the permanent record. The permanent record shall be maintained for at least 60 years after the student graduated, withdrew, or transferred.

The *temporary record* may include:

- Family background
- Intelligence and aptitude scores
- Psychological reports
- Achievement test results, including scores on the Illinois Standards Achievement Test
- Participation in extracurricular activities
- Honors and awards
- Teacher anecdotal records
- Disciplinary information, specifically including information regarding an expulsion, suspension, or other punishment for misconduct involving drugs, weapons, or bodily harm to another
- Special education files
- Verified reports or information from non-educational persons
- Verified information of clear relevance to the student's education
- Information pertaining to release of this record

Information in the temporary record will indicate authorship and date. The District will maintain the student's temporary record for at least 5 years after the student transferred, graduated, or permanently withdrew. Temporary records that may be of assistance to a student with disabilities who graduates or

permanently withdraws, may, after 5 years, be transferred to the parent(s)/guardian(s) or to the student, if the student has succeeded to the rights of the parent(s)/guardian(s).

The Building Principal is responsible for the maintenance, retention, or destruction of a student's permanent or temporary records. Upon a student's graduation, transfer, or permanent withdrawal, the Building Principal or designee shall notify the parent(s)/guardian(s) and the student when the student's permanent and temporary school records are scheduled to be destroyed and of their right to request a copy. Student records shall be reviewed at least every 4 years, or upon a student's change in attendance centers, whichever occurs first, to verify entries and correct inaccurate information.

The District uses students' Social Security numbers for intra-school identification purposes, if at all. However, school officials may not require students or their parent(s)/guardian(s) to provide them. Absent a court order or subpoena, school officials do not provide educational records to the Immigration and Naturalization Service.

Access to Student Records

The District shall grant access to student records as follows:

1. Neither the District nor any of its employees shall release, disclose, or grant access to information found in any student record except under the conditions set forth in the Illinois School Student Records Act.
2. The parent(s)/guardian(s) of a student under 18 years of age, or designee, shall be entitled to inspect and copy information in the child's school records; a student less than 18 years old may inspect or copy information in the student's permanent school record. Such requests shall be made in writing and directed to the records custodian. Access to the records shall be granted within 15 days of the District's receipt of such a request.

Where the parents/guardians are divorced or separated, both shall be permitted to inspect and copy the student's school records unless the District has actual notice of a court order indicating otherwise. The District shall send copies of the following to both parents/guardians at either's request, unless the District has actual notice of a court order indicating otherwise:

- a. Academic progress reports or records;
- b. Health reports;
- c. Notices of parent-teacher conferences;
- d. School calendars distributed to parent(s)/guardian(s); and
- e. Notices about open houses, graduations, and other major school events including pupil-parent(s)/guardian(s) interaction.

When the student reaches 18 years of age, graduates from high school, marries, or enters military service all rights and privileges accorded to parent(s)/guardian(s) become exclusively those of the student.

Access shall not be granted the parent(s)/guardian(s) or the student to confidential letters and recommendations concerning the admission to a post-secondary educational institution, applications for employment or the receipt of an honor or award which were placed in the records prior to January 1, 1975, provided such letters and statements are not used for purposes other than those for which they were specifically intended. Access shall not be

granted to such letters and statements entered into the record at any time if the student has waived his or her right of access after being advised of his or her right to obtain the names of all persons making such confidential letters and statements.

3. The District may grant access to, or release information from, student records without parental/guardian consent or notification to District employees or officials or the Illinois State Board of Education, provided a current, demonstrable, educational or administrative need is shown. Access in such cases is limited to the satisfaction of that need.
4. The District may grant access to, or release information from, student records without parental/guardian consent or notification to any person for the purpose of research, statistical reporting, or planning, provided that no student or parent(s)/guardian(s) can be identified from the information released, and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records.
5. The District shall grant access to, or release information from, a student's records pursuant to a court order, provided that the parent(s)/guardian(s) shall be given prompt written notice of such order's terms, the nature and substance of the information proposed to be released, and an opportunity to inspect and copy such records and to challenge their contents. However, the District will comply with an *ex parte* court order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to or the consent of the student's parent(s)/guardian(s).
6. The District shall grant access to, or release information from, any student record as specifically required by federal or State statute.
7. The District shall grant access to, or release information from, student records to any person possessing a written, dated consent, signed by the parent(s)/guardian(s) or eligible student stating to whom the records may be released, the information or record to be released, and the reason for the release. One copy of the consent form will be kept in the records and one copy is mailed to the parent(s)/guardian(s) or eligible student by the Superintendent. Whenever the District requests the consent to release certain records, the records custodian shall inform the parent(s)/guardian(s) or eligible student of the right to limit such consent to specific portions of information in the records.
8. The District may release student records to the records custodian of another Illinois school, or an official with similar responsibilities in a non-Illinois school, in which the student has enrolled or intends to enroll, upon written request from such official.
9. Prior to the release of any records, or information under items 6 and 8 above, the District shall provide prompt written notice to the parent(s)/guardian(s) or eligible student of this intended action. This notification shall include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents. If the release is under 6 above and relates to more than 25 students, a notice published in the newspaper is sufficient.
10. The District may release student records, or information in connection with an emergency without parental consent if the knowledge of such information is necessary to protect the

health or safety of the student or other persons. The records custodian shall make this decision taking into consideration the nature of the emergency, the seriousness of the threat to the health or safety of the student or other persons, the need for such records to meet the emergency, and whether the persons to whom such records are released are in a position to deal with the emergency. The District shall notify the parent(s)/guardian(s) or eligible student as soon as possible of the information released, the date of the release, the person, agency or organization to whom the release was made, and the purpose of the release.

11. The District shall grant access to, or release information from student records to juvenile authorities when necessary for the discharge of their official duties upon their request before the student's adjudication, provided they certify in writing that the information will not be disclosed to any other party except as provided under law or order of court. "Juvenile authorities" means: (a) a circuit court judge and court staff members designated by the judge; (b) parties to the proceedings under the Juvenile Court Act of 1987 and their attorneys; (c) probation officers and court appointed advocates for the juvenile authorized by the judge hearing the case; (d) any individual, public or private agency having court-ordered custody of the child; (e) any individual, public or private agency providing education, medical or mental health service to the child when the requested information is needed to determine the appropriate service or treatment for the minor; (f) any potential placement provider when such release is authorized by the court to determine the appropriateness of the potential placement; (g) law enforcement officers and prosecutors; (h) adult and juvenile prisoner review boards; (i) authorized military personnel; and (j) individuals authorized by court.
12. The District shall grant access to, or release information from student records, to a SHOCAP (Serious Habitual Offender Comprehensive Action Program) committee member, provided that:
 - a. The committee member is a State or local official or authority,
 - b. The disclosure concerns the juvenile justice system's ability to effectively serve, prior to adjudication, the student whose records are to be released and the official or authority certifies in writing that the records will not be disclosed to any other party except as provided under State law without the prior written consent of the student's parent(s)/guardian(s),
 - c. The disclosure's purpose is limited to identifying serious habitual juvenile offenders and matching those offenders with community resources pursuant to Section 5-145 of the Juvenile Court Act of 1987, and
 - d. The release, transfer, disclosure, or dissemination consistent with the Family Educational Rights and Privacy Act.
13. Upon their request, military recruiters and institutions of higher learning shall have access to secondary students names, addresses, and telephone listings, unless an objection is made by the student's parent(s)/guardian(s). The Building Principal or designee shall notify parent(s)/guardian(s) that they may make this objection.
14. The District charges \$.35 per page for copying information in a student's records. No parent(s)/guardian(s) or student shall be precluded from copying information because of financial hardship.

15. Except as provided below, a record of all releases of information from student records (including all instances of access granted whether or not records were copied) shall be kept and maintained as part of such records. This record shall be maintained for the life of the student record and shall be accessible only to the parent(s)/guardian(s) or eligible student, records custodian, or other person. The record of release shall include:
 - a. Information released or made accessible.
 - b. The name and signature of the records custodian.
 - c. The name and position of the person obtaining the release or access.
 - d. The date of the release or grant of access.
 - e. A copy of any consent to such release.

No record of a disclosure is maintained when records are disclosed according to the terms of an *ex parte* court order.

Orders of Protection

Upon receipt of a court order of protection, the Building Principal shall file it in the records of a child who is the “protected person” under the order of protection. No information or records shall be released to the Respondent named in the order of protection. When a child who is a “protected person” under an order of protection transfers to public or private school, or as soon as possible, the Building Principal shall, at the request of the Petitioner, provide, within 24 hours of the transfer or as soon as possible, written notice of the order of protection, along with a certified copy of the order, to the school to which the child is transferring.

Directory Information

The District may release certain directory information regarding students, except that parent(s)/guardian(s) may prohibit such a release. Directory information shall be limited to:

- Name
- Address
- Gender
- Grade level
- Birth date and place
- Parents'/guardians' names and addresses
- Academic awards, degrees, and honors
- Information in relation to school-sponsored activities, organizations, and athletics
- Major field of study
- Period of attendance in school

The notification to parent(s)/guardian(s) and students concerning school records will inform them of their right to object to the release of directory information.

Student Record Challenges

The parent(s)/guardian(s) may challenge the accuracy, relevancy or propriety of the records. However when the student's school records are being forwarded to another school, no challenge may be made to grades or references to expulsions or out-of-school suspensions. They have the right to request a hearing at which each party has the right to:

1. Present evidence and to call witnesses;
2. Cross-examine witnesses;
3. Counsel;
4. A written statement of any decision and the reasons therefore; and
5. Appeal an adverse decision to an administrative tribunal or official to be established or designated by the State Board.

The parent(s)/guardian(s) may insert a written statement of reasonable length describing their position on disputed information. The school will include a copy of the statement in any release of the information in dispute.

LEGAL REF.: 20 U.S.C. § 1232(g)(j).
Owasso I.S.D. No. I-011 v. Falvo, 122 S.Ct. 934 (2002).
Family Educational Rights and Privacy Act, 20 U.S.C. § 1232(g); 34 C.F.R.
Part 99.
105 ILCS 5/10-21.8 and 10/1 et seq.
23 Ill. Admin. Code § 375.

Reviewed: May 17, 2004
Adopted: August 23, 2004
Revisions Adopted: January 24, 2005

Students

Exhibit - Notification to Parents and Students of Their Rights Concerning a Student's School Records

This notification may be distributed by any means likely to reach the parent(s)/guardian(s).

The District maintains two types of school records for each student: *permanent* record and *temporary* record. These records may be integrated.

The *permanent record* includes:

- Basic identifying information
- Academic transcripts
- Attendance record
- Accident and health reports
- Information pertaining to release of this record
- Honors and awards
- School-sponsored activities and athletics

The *temporary record* may include:

- Family background
- Completed Home Language Survey
- Intelligence and aptitude scores
- Psychological reports
- Achievement test results, including scores on the Illinois Standards Achievement Test
- Participation in extracurricular activities
- Honors and awards
- Teacher anecdotal records
- Disciplinary information, including information regarding any punishment for misconduct involving drugs, weapons, or bodily harm to another
- Special education files
- Verified reports or information from non-educational persons
- Verified information of clear relevance to the student's education
- Information pertaining to release of this record

The Family Educational Rights and Privacy Act (FERPA) and the Illinois Student Records Act afford parents/guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. The right to inspect and copy the student's education records within 15 school days of the day the District receives a request for access.

The degree of access a student has to his or her records depends on the student's age. Students less than 18 years of age have the right to inspect and copy only their permanent record. Students 18 years of age or older have access and copy rights to both permanent and temporary records. Parents/guardians or students should submit to the Building Principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The Principal will make arrangements for access and notify the parent(s)/guardian(s) or student of the time and

place where the records may be inspected. The District charges \$.35 per page for copying but no one will be denied their right to copies of their records for inability to pay this cost.

These rights are denied to any person against whom an order of protection has been entered concerning a student (105 ILCS 5/10-22.3c and 10/5a, and 750 ILCS 60/214(b)(15)).

2. The right to request the amendment of the student's education records that the parent(s)/guardian(s) or eligible student believes are inaccurate, misleading, irrelevant, or improper.

Parents/guardians or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, irrelevant, or improper. They should write the Building Principal or records custodian, clearly identify the record they want changed, and specify the reason.

If the District decides not to amend the record as requested by the parents/guardians or eligible student, the District will notify the parents/guardians or eligible student of the decision and advise him or her of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.

3. The right to permit disclosure of personally identifiable information contained in the student's education records, except to the extent that the FERPA or Illinois School Student Records Act authorizes disclosure without consent.

Disclosure is permitted without consent to school officials with legitimate educational or administrative interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or any parent(s)/guardian(s) or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses education records without consent to officials of another school district in which a student has enrolled or intends to enroll, as well as to any person as specifically required by State or federal law. Before information is released to these individuals, the parents/guardians will receive prior written notice of the nature and substance of the information, and an opportunity to inspect, copy, and challenge such records.

When a challenge is made at the time the student's records are being forwarded to another school to which the student is transferring, there is no right to challenge (1) academic grades, or (2) references to expulsions or out-of-school suspensions.

Disclosure is also permitted without consent to: any person for research, statistical reporting or planning, provided that no student or parent(s)/guardian(s) can be identified; any person named in a court order; appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons; and juvenile authorities when necessary for the discharge of their official duties who request information before adjudication of the student.

4. The right to a copy of any school student record proposed to be destroyed or deleted.

Student records are reviewed every 4 years or upon a student's change in attendance centers, whichever occurs first.

5. The right to prohibit the release of directory information concerning the parent's/guardian's child.

Throughout the school year, the District may release directory information regarding students, limited to:

- Name
- Address
- Gender
- Grade level
- Birth date and place
- Parents'/guardians' names and addresses
- Academic awards, degrees, and honors
- Information in relation to school-sponsored activities, organizations, and athletics
- Major field of study
- Period of attendance in school

Any parents/guardians or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the Building Principal within 30 days of the date of this notice. No directory information will be released within this time period, unless the parents/guardians or eligible student is specifically informed otherwise.

A photograph of an unnamed student is **not** a school record because the student is not individually identified. The District shall obtain the consent of a student's parents/guardians before publishing a photograph or videotape of the student in which the student is identified.

6. The right to request that military recruiters or institutions of higher learning not be granted access to your secondary school student's name, address, and telephone numbers without your prior written consent.

Federal law requires a secondary school to grant military recruiters and institutions of higher learning, upon their request, access to secondary school students' names, addresses, and telephone numbers, unless the parents/guardians request that the information not be disclosed without prior written consent. If you wish to exercise this option, notify the Building Principal where your student is enrolled for further instructions.

7. The right contained in this statement: No person may condition the granting or withholding of any right, privilege or benefits or make as a condition of employment, credit, or insurance the securing by any individual of any information from a student's temporary record which such individual may obtain through the exercise of any right secured under State law.

8. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.

The name and address of the Office that administers FERPA is:
Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington DC 20202-4605

Reviewed: October 18, 2004
Adopted: October 18, 2004
Revisions Adopted: January 24, 2005

Students

Exhibit - Using a Photograph or Videotape of a Student

Distribute to parent(s)/guardian(s) at the time they register a child for school and/or annually at the beginning of the school year.

Pictures of Unnamed Students. Students may occasionally appear in photographs and videotapes taken by school staff members, other students, or other individuals authorized by the Building Principal. The school may use these pictures, without identifying the student, in various publications, including the school yearbook, school newspaper, and school website. No consent or notice is needed or will be given before the school uses pictures of unnamed students taken while they are at school or a school-related activity.

Pictures of Named Students. Many times, however, the school will want to identify a student in a school picture. School officials want to acknowledge those students who participate in a school activity or deserve special recognition.

In order for the school to publish a picture with a student identified by name, one of the student's parents or guardians must sign a consent form. Please complete and sign this form to allow the school to publish and otherwise use photographs and videotapes, with your child or ward identified, while he or she is enrolled in this school.

I grant consent to _____ School District to identify a picture of my child or ward, by full name and/or the school he or she attends, in any school sponsored material, publication, videotape, or website. This consent is valid for the entire time my child or ward is enrolled in _____ School. I may revoke this consent at any time by notifying the Building Principal.

Signed Parent/Guardian's Name

Printed Parent/Guardian's Name

Date

Child or Ward's Name

Pictures of Students Taken by Non-School Agencies. While the school limits access to school buildings by outside photographers, it has no control over news media or other entities that may publish a picture of a named or unnamed student. School staff members will not, however, identify a student for an outside photographer.

Reviewed: October 18, 2004

Adopted: October 18, 2004

Revisions Adopted: January 24, 2005

Students

Exhibit – Release of Student Information (PTA Directory Permission and Release of Student Names to the Press)

The Family Educational Rights and Privacy Act (FERPA) and the Illinois School Student Records Act (ISSRA) permit Glen Ellyn School District 41 to release student directory information. Directory information includes a student's name, address, telephone number, gender, grade level, parents' names and addresses, academic awards, degrees, honors, and information in relation to school sponsored activities, organizations, and athletics. District 41 releases student and parent names, addresses, and telephone numbers to the District 41 PTA for the creation of student directories, to be distributed to District 41 families. From time to time, District 41 also releases student names to the press, in connection with participation in school sponsored activities and academic awards.

If you object to the release of your student's directory information to the District 41 PTA, the press, or to both, please fill out the form below and return it to your student's principal by ~~(insert date)~~ **September 1st**. **If you do not return this form, District 41 will assume that you have authorized the release of your student's directory information as described above.**

I object to the release of my student's directory information to:

____ the District 41 PTA (includes name, address, phone number)

____ the press (includes name and information about awards and school activities)

Name of Student(s): _____

Parent Signature: _____

Date: _____

**GLEN ELLYN SCHOOL DISTRICT 41
GLEN ELLYN, ILLINOIS**

JOB DESCRIPTION

TITLE:

Instructional Assistant/Interpreter

CLASSIFICATION:

Administrator:

GEEA

ESP:

X AFSCME

 EXEMPT

DEPARTMENT:

Teaching Learning, Accountability

APPROVED BY:

DATE:

REPORTS TO:

ELL Teacher

Building Principal

GENERAL RESPONSIBILITIES

The Instructional Assistant/Interpreter assists the ELL teacher in meeting the educational needs of students who have limited command of the English language and/or do not have English as their primary language and are enrolled in an ELL Program by translating and interpreting for the students and parents.

ESSENTIAL JOB FUNCTIONS

- Assists the ELL teacher, under their supervision with translation for the students through the course of the student day providing students with assistance in laboratories, washrooms, playgrounds, gymnasium, lunchroom, libraries, on field trips and all other education settings as determined by the ELL teacher.
- Assists ELL students in understanding social and cultural mores of the American culture.
- Provides reinforcement to individual or groups of students of material initially taught by the ELL teacher.
- Guides any independent study, enrichment work, and remedial work set up by the ELL teacher.
- Assists in translating appropriate instructional materials for ELL students, including translating instructional materials, as needed under the direction of the supervising teacher.
- Assists the ELL teacher with preparing instructional materials, making copies, classroom displays and bulletin boards.
- Assists the ELL teacher in tracking student progress.
- Interfaces with all levels of the school.

EDUCATION AND CREDENTIALING

- High school diploma or equivalent required

DIRECT REPORTS TO THIS POSITION

- Not applicable.

EVALUATION

Building Administrator will evaluate annually in conjunction with supervising teacher.

WORK YEAR

- 9 Month.

PHYSICAL ABILITY JOB REQUIREMENTS	Not Important	Desirable	Essential	Critical
Walking or standing				X
Seeing				X
Hearing				X
Lifting/carrying objects weighing 5-20 lbs.		X		
Lifting/carrying objects weighing over 20 lbs.		X		
Pushing/pulling carts, dollies, etc.	X			
Climbing ladders, scaffolding, etc.	X			
Regularly working at assigned site(s).				X
Driving a car, van or truck on public roads or highways.			X	
Proofreading and checking documents for accuracy.			X	
Using a keyboard to enter, retrieve or transform data.			X	
Dealing with employees, suppliers and/or customers in high-stress situations.			X	
Conducting performance reviews with employees who report to you.	X			
Disciplining and when necessary, discharging employees.	X			
Working in an area that is somewhat uncomfortable due to noise, drafts, etc.		X		
Working in confined area for 2+ hours at a time.			X	
Working in an area that is very unpleasant due to temperature, odor, noise, etc.		X		
Operating heavy equipment and/or performing other very hazardous duties.	X			
Looking at computer screen/reading data on PC.			X	

By signing this, I affirm that I have read and understand the contents of this document.

Employee Signature

**GLEN ELLYN SCHOOL DISTRICT 41
GLEN ELLYN, ILLINOIS**

JOB DESCRIPTION

TITLE:

Library Information Teacher

CLASSIFICATION:

Administrator:

GEEA

ESP:

_____ AFSCME

_____ EXEMPT

DEPARTMENT:

Teaching, Learning, and
Accountability

APPROVED BY:

REPORTS TO:

Building Principal

DATE:

GENERAL RESPONSIBILITIES

The Building Library Information Teacher serves the building to ensure that students are effective users of information and ideas by providing intellectual and physical access to materials in all formats and by providing instruction to foster competence and stimulate interest in reading, viewing, and using information and ideas.

ESSENTIAL LEADERSHIP SKILLS

- Holds and communicates a clear vision for success.
- Focuses on and is knowledgeable about teaching and learning.
- Ensures an inclusive and caring culture.
- Involves all stakeholders.
- Demonstrates ethical behavior.
- Understands the political, social, economic, legal, and cultural context of learning.
- Ensures continuous improvement and performance excellence using continuous improvement criteria.

DISTRICT 41 LEADERSHIP CORE VALUES

Leaders in District 41 are expected to demonstrate:

1. Learning-Centered Education places the focus on the needs of schools, classrooms students and self. A learning-centered leader sets high expectations for all students staff, and self and is committed to system design that supports performance excellence for all students. In a learner-centered system, students take active responsibility for their learning and staff take responsibility to support student learning.
2. Visionary Leadership requires leaders to set and communicate clear, visible direction and high expectations. Leaders foster a sense of urgency to accomplish mission, and model visible commitment to continual improvement principles and practices every day.
3. Organizational and Personal Learning means leaders engage staff students, and self as full participants in learning and contributors to improvement at the organization and individual level.
4. Valuing Faculty, Staff and Partners requires the investment in the on-going development of knowledge, capabilities, skills utilization, morale and motivation of all faculty, staff, students and the practice of building internal and external partnerships to better accomplish overall goals.
5. Managing for Innovation requires leaders to focus on creating new and innovative approaches to improving performance and stakeholder value.
6. Systems Perspective requires leaders to use core values and seven continuous improvement categories as the building blocks of the overall organization using a systems approach at every level.
7. Management by Facts requires a leader to use decision-making based on measurement, data, information, and analysis of results, applied to the management of the organization. Leaders help the organization understand that decisions made in absence of measurement, information, data and analysis result in “random acts of improvement” which are costly and time consuming.
8. Focus on the Future requires a leader to make a long-term commitment to students and to all stakeholders – community, employers, faculty, and staff.
9. Public Responsibility and Citizenship requires a leader to practice good citizenship and shifting from compliance to commitment to be a contributing member of the community and adding value.
10. Agility requires faster and more flexible response to the needs of customers, students and stakeholders.
11. Focus on Results and Creating Value requires a leader to develop and use performance indicators that communicate requirements, monitor actual performance, and marshal broadly based support for improving results. Results must be aligned and balanced to reflect the priorities of the district and departments and reported regularly to the stakeholders.

SPECIFIC TASKS:

1. Utilizes current research and methods in areas of technology, teaching, learning, library and information literacy.
2. Serves on committees involved with designing learning activities for students and/or curriculum revision.
3. Collaborates with teachers to integrate research, information retrieval skills, and literature appreciation into the curriculum.
4. Collaborates with teachers in developing interdisciplinary activities.
5. Assists teachers and students in using informational resources and incorporating information literacy skills in district curriculum.
6. Uses a variety of materials and activities to stimulate and maximize learning to help students achieve educational and personal goals.
7. Selects materials and technology which support the district’s educational philosophy and curriculum.
8. Provides access to materials and information for both students and staff by adhering to established policies, laws, (including copyright laws), principles of intellectual freedom, and ethical behavior.
9. Selects and provides resources and technologies needed to integrate and produce authentic learning experiences.

10. Develops short and long range goals and PDSAs which guide the development of the library media program.
11. Develops and implements policies and procedures of flexible access in the Library Learning Center for staff and students.
12. Evaluates library media programs, services, facilities, and materials to ensure optimum use.
13. Prepares and oversees a library media program budget which reflects the needs of the entire school community.
14. Trains Library and Technology Para-professionals and adult volunteers to perform duties effectively and efficiently.
15. Creates and maintains a collection development process which includes such aspects as maintaining accurate and current catalogs and records, weeding, and inventories.
16. Maintains an attractive and inviting physical environment which allows for enriched learning experiences and intellectual growth.
17. Promotes the library media program, services, and its materials by maintaining a positive relationship with all stakeholders: students, staff, and community.

KNOWLEDGE AND SKILLS

- Handles confidential information discretely and professionally.
- Proficient computer skills including, but not limited to Microsoft Office and Outlook.
- Ability to use discretion and exercise sound judgment
- Prepares reports accurately and promptly.
- Critical thinker and problem solver.
- Effective oral and written communication skills and strong interpersonal skills.
- Ability to exercise appropriate initiative and work independently.
- Good organizational and time management skills.
- Maintains and enhances professional knowledge in trends and technology in information literacy.
- Participates in various professional organizations and activities which relate to the library media programs and technology.

EDUCATION AND CREDENTIALING

- Bachelor's Degree
- Master's Degree
- Valid Illinois State Teacher Certification and appropriate endorsement by the Illinois Board of Education when applicable

DIRECT REPORTS TO THIS POSITION

- Library and Technology Para-Professionals

EVALUATION

- The Building Assistant Principal or Building Principal or designee will evaluate in accordance with the District 41 Teacher Evaluation processes and procedures

WORK YEAR

- As designated by the current GEEA Teachers' Agreement

PHYSICAL ABILITY JOB REQUIREMENTS	Not Important	Desirable	Essential	Critical
Walking or standing			X	
Seeing			X	
Hearing			X	
Lifting/carrying objects weighing 5-20 lbs.		X		
Lifting/carrying objects weighing over 20 lbs.	X			
Pushing/pulling carts, dollies, etc.		X		
Climbing ladders, scaffolding, etc.	X			
Regularly working at assigned site(s).				X
Driving a car, van or truck on public roads or highways.		X		
Proofreading and checking documents for accuracy.				X
Using a keyboard to enter, retrieve or transform data.				X
Dealing with employees, suppliers and/or customers in high-stress situations.				X
Conducting performance reviews with employees who report to you.			X	
Working in an area that is somewhat uncomfortable due to noise, drafts, etc.		X		
Working in confined area for 2+ hours at a time.			X	
Working in an area that is very unpleasant due to temperature, odor, noise, etc.		X		
Operating heavy equipment and/or performing other very hazardous duties.	X			
Looking at computer screen/reading data on PC.				X

By signing this, I affirm that I have read and understand the contents of this document.

Employee Signature

November 21, 2005

**GLEN ELLYN SCHOOL DISTRICT 41
GLEN ELLYN, ILLINOIS**

JOB DESCRIPTION

TITLE:

Parent Coordinator/Social Worker

CLASSIFICATION:

Administrator:

GEEA

ESP:

_____ AFSCME

_____ EXEMPT

DEPARTMENT:

Teaching, Learning, and
Accountability

APPROVED BY:

DATE:

REPORTS TO:

Director of Programs and Grants

GENERAL RESPONSIBILITIES

The Prekindergarten At-Risk Parent Coordinator is responsible for coordinating and facilitating the family's access to educational and community resources, including needs assessment of children and their families, identification and registration of eligible students and coordination of the transition of students leaving the program. This individual will make available information on parenting and parenting programs, participate in the grant writing process, and support at-risk classroom activities as needed.

ESSENTIAL LEADERSHIP SKILLS

- Holds and communicates a clear vision for success.
- Focuses on and is knowledgeable about teaching and learning.
- Ensures an inclusive and caring culture.
- Involves all stakeholders.
- Demonstrates ethical behavior.
- Understands the political, social, economic, legal, and cultural context of learning.
- Ensures continuous improvement and performance excellence using continuous improvement criteria.

DISTRICT 41 LEADERSHIP CORE VALUES

Leaders in District 41 are expected to demonstrate:

1. Learning-Centered Education places the focus on the needs of schools, classrooms students and self. A learning-centered leader sets high expectations for all students staff, and self and is committed to system design that supports performance excellence for all students. In a learner-centered system, students take active responsibility for their learning and staff take responsibility to support student learning.
2. Visionary Leadership requires leaders to set and communicate clear, visible direction and high expectations. Leaders foster a sense of urgency to accomplish mission, and model visible commitment to continual improvement principles and practices every day.
3. Organizational and Personal Learning means leaders engage staff students, and self as full participants in learning and contributors to improvement at the organization and individual level.
4. Valuing Faculty, Staff and Partners requires the investment in the on-going development of knowledge, capabilities, skills utilization, morale and motivation of all faculty, staff, students and the practice of building internal and external partnerships to better accomplish overall goals.
5. Managing for Innovation requires leaders to focus on creating new and innovative approaches to improving performance and stakeholder value.
6. Systems Perspective requires leaders to use core values and seven continuous improvement categories as the building blocks of the overall organization using a systems approach at every level.
7. Management by Facts requires a leader to use decision-making based on measurement, data, information, and analysis of results, applied to the management of the organization. Leaders help the organization understand that decisions made in absence of measurement, information, data and analysis result in “random acts of improvement” which are costly and time consuming.
8. Focus on the Future requires a leader to make a long-term commitment to students and to all stakeholders – community, employers, faculty, and staff.
9. Public Responsibility and Citizenship requires a leader to practice good citizenship and shifting from compliance to commitment to be a contributing member of the community and adding value.
10. Agility requires faster and more flexible response to the needs of customers, students and stakeholders.
11. Focus on Results and Creating Value requires a leader to develop and use performance indicators that communicate requirements, monitor actual performance, and marshal broadly based support for improving results. Results must be aligned and balanced to reflect the priorities of the district and departments and reported regularly to the stakeholders.

SPECIFIC TASKS:

1. Schedules and makes home visits for all children in the at-risk program, four times annually.
2. Follows up on needs or concerns identified during home visits.
3. Provides counseling to parents of children in the program and recommends community resources for follow-up.
4. Develops and coordinates the literacy bag program for all students in the at-risk program.
5. Follows up on referrals for preschool screening.
6. Distributes, collects, and files all school registration papers.
7. Assists ESL parents with registration and completion of paperwork.
8. Communicates individual student concerns to appropriate school personnel.
9. Plans and facilitates Family Nights for the prekindergarten program.
10. Develops, distributes, collects, and summarizes family need surveys at the beginning and of each school year.
11. Reports survey summary and recommendations annually to the Board of Education.
12. Participates in writing the Early Childhood Block Grant annually.
13. Attends prekindergarten staff meetings.
14. Collaborates with school and community organizations to improve services in the prekdg. program.

KNOWLEDGE AND SKILLS

- Handles confidential information discretely and professionally.
- Proficient computer skills including, but not limited to Microsoft Office and Outlook.
- Ability to use discretion and exercise sound judgment
- Prepares reports accurately and promptly.
- Critical thinker and problem solver.
- Effective oral and written communication skills and strong interpersonal skills.
- Ability to exercise appropriate initiative and work independently.
- Good organizational and time management skills.
- Participates in various professional organizations and activities through the Illinois Resource Center that relate to prekindergarten and at-risk children.
- Attends annually at least one major conference such as the Illinois Association for the Education of Young Children in order to stay current.

EDUCATION AND CREDENTIALING

- Bachelor's Degree
- Master's Degree preferred
- Valid Illinois State Teacher Certification and appropriate endorsement(s) by the Illinois Board of Education when applicable

DIRECT REPORTS TO THIS POSITION

- None

EVALUATION

- The Building Principal or Director of Grants and Programs will evaluate in accordance with the District 41 Teacher Evaluation processes and procedures

WORK YEAR

- As designated by the current GEEA Teachers' Agreement

PHYSICAL ABILITY JOB REQUIREMENTS	Not Important	Desirable	Essential	Critical
Walking or standing			X	
Seeing			X	
Hearing			X	
Lifting/carrying objects weighing 5-20 lbs.		X		
Lifting/carrying objects weighing over 20 lbs.	X			
Pushing/pulling carts, dollies, etc.	X			
Climbing ladders, scaffolding, etc.	X			
Regularly working at assigned site(s).				X
Driving a car, van or truck on public roads or highways.				X
Proofreading and checking documents for accuracy.				X
Using a keyboard to enter, retrieve or transform data.				X
Dealing with employees, suppliers and/or customers in high-stress situations.				X
Conducting performance reviews with employees who report to you.			X	
Disciplining and when necessary, discharging employees.	X			
Working in an area that is somewhat uncomfortable due to noise, drafts, etc.		X		
Working in confined area for 2+ hours at a time.			X	
Working in an area that is very unpleasant due to temperature, odor, noise, etc.		X		
Operating heavy equipment and/or performing other very hazardous duties.	X			
Looking at computer screen/reading data on PC.				X

By signing this, I affirm that I have read and understand the contents of this document.

Employee Signature

**GLEN ELLYN SCHOOL DISTRICT 41
GLEN ELLYN, ILLINOIS**

JOB DESCRIPTION

TITLE:

Prekindergarten At-Risk Teacher

CLASSIFICATION:

Administrator:
 GEEA
 ESP: _____ AFSCME _____ EXEMPT

DEPARTMENT:

Teaching, Learning, and
Accountability

APPROVED BY: _____

DATE: _____

REPORTS TO:

Director of Programs and Grants

GENERAL RESPONSIBILITIES

The Prekindergarten At-Risk Teacher is responsible for all aspects of planning, implementing and evaluating the prekindergarten class including daily classroom duties, parent communications, student evaluation, personal professional development, and participation in the grant writing and evaluation process.

ESSENTIAL LEADERSHIP SKILLS

- Holds and communicates a clear vision for success.
- Focuses on and is knowledgeable about teaching and learning.
- Ensures an inclusive and caring culture.
- Involves all stakeholders.
- Demonstrates ethical behavior.
- Understands the political, social, economic, legal, and cultural context of learning.
- Ensures continuous improvement and performance excellence using continuous improvement criteria.

DISTRICT 41 LEADERSHIP CORE VALUES

Leaders in District 41 are expected to demonstrate:

1. Learning-Centered Education places the focus on the needs of schools, classrooms students and self. A learning-centered leader sets high expectations for all students staff, and self and is committed to system design that supports performance excellence for all students. In a learner-centered system, students take active responsibility for their learning and staff take responsibility to support student learning.
2. Visionary Leadership requires leaders to set and communicate clear, visible direction and high expectations. Leaders foster a sense of urgency to accomplish mission, and model visible commitment to continual improvement principles and practices every day.
3. Organizational and Personal Learning means leaders engage staff students, and self as full participants in learning and contributors to improvement at the organization and individual level.
4. Valuing Faculty, Staff and Partners requires the investment in the on-going development of knowledge, capabilities, skills utilization, morale and motivation of all faculty, staff, students and the practice of building internal and external partnerships to better accomplish overall goals.
5. Managing for Innovation requires leaders to focus on creating new and innovative approaches to improving performance and stakeholder value.
6. Systems Perspective requires leaders to use core values and seven continuous improvement categories as the building blocks of the overall organization using a systems approach at every level.
7. Management by Facts requires a leader to use decision-making based on measurement, data, information, and analysis of results, applied to the management of the organization. Leaders help the organization understand that decisions made in absence of measurement, information, data and analysis result in “random acts of improvement” which are costly and time consuming.
8. Focus on the Future requires a leader to make a long-term commitment to students and to all stakeholders – community, employers, faculty, and staff.
9. Public Responsibility and Citizenship requires a leader to practice good citizenship and shifting from compliance to commitment to be a contributing member of the community and adding value.
10. Agility requires faster and more flexible response to the needs of customers, students and stakeholders.
11. Focus on Results and Creating Value requires a leader to develop and use performance indicators that communicate requirements, monitor actual performance, and marshal broadly based support for improving results. Results must be aligned and balanced to reflect the priorities of the district and departments and reported regularly to the stakeholders.

SPECIFIC TASKS:

1. Plans and implements a coherent curriculum to help children achieve important developmental and learning goals based on the Illinois Early Learning Standards.
2. Leads beginning and ending circle times
3. Uses a variety of approaches and provides daily opportunities to develop children’s language and literacy skills based on each child’s individual assessment.
4. Plans and carries out daily lessons, individualized instruction and assessment, and instruction and management of the class.
5. Plans and facilitates field trips.
6. Supervises the program Para-Professionals.
7. Reports daily attendance to the office.
8. Documents all events that occur during the school day such as an injury or a milestone in a child’s development.
9. Plans and facilitates and Open House prior to the beginning of school.
10. Plans and facilitates family nights.
11. Informs parents of developmentally appropriate standards.
12. Communicates with parents via a weekly newsletter.

13. Documents parent involvement.
14. Participates in the At-Risk grant writing process.
15. Oversees classroom budget.
16. Documents progress of the prekindergarten program.
17. Works cooperatively with the program parent coordinator.
18. Plans and facilitates weekly staff meetings.
19. Communicates with the Director of Grants and Programs regarding plans and challenges of the Prekindergarten At-Risk Program.

KNOWLEDGE AND SKILLS

- Handles confidential information discretely and professionally.
- Proficient computer skills including, but not limited to Microsoft Office and Outlook.
- Ability to use discretion and exercise sound judgment
- Prepares reports accurately and promptly.
- Critical thinker and problem solver.
- Effective oral and written communication skills and strong interpersonal skills.
- Ability to exercise appropriate initiative and work independently.
- Good organizational and time management skills.
- Participates in various professional organizations and activities through the Illinois Resource Center that relate to prekindergarten and at-risk children.
- Attends annually at least one major conference such as the Illinois Association for the Education of Young Children in order to stay current.

EDUCATION AND CREDENTIALING

- Bachelor's Degree
- Valid Type 04 Illinois State Teacher Certification and appropriate endorsement by the Illinois Board of Education when applicable

DIRECT REPORTS TO THIS POSITION

- Program Para-Professionals

EVALUATION

- The Building Principal or Director of Grants and Programs will evaluate in accordance with the District 41 Teacher Evaluation processes and procedures

WORK YEAR

- As designated by the current GEEA Teachers' Agreement

PHYSICAL ABILITY JOB REQUIREMENTS	Not Important	Desirable	Essential	Critical
Walking or standing			X	
Seeing			X	
Hearing			X	
Lifting/carrying objects weighing 5-20 lbs.		X		
Lifting/carrying objects weighing over 20 lbs.	X			
Pushing/pulling carts, dollies, etc.	X			
Climbing ladders, scaffolding, etc.	X			
Regularly working at assigned site(s).				X
Driving a car, van or truck on public roads or highways.		X		
Proofreading and checking documents for accuracy.				X
Using a keyboard to enter, retrieve or transform data.				X
Dealing with employees, suppliers and/or customers in high-stress situations.				X
Conducting performance reviews with employees who report to you.			X	
Disciplining and when necessary, discharging employees.	X			
Working in an area that is somewhat uncomfortable due to noise, drafts, etc.		X		
Working in confined area for 2+ hours at a time.			X	
Working in an area that is very unpleasant due to temperature, odor, noise, etc.		X		
Operating heavy equipment and/or performing other very hazardous duties.	X			
Looking at computer screen/reading data on PC.				X

By signing this, I affirm that I have read and understand the contents of this document.

Employee Signature