

Oak Park Elementary School District #97

Bylaws & Policies

5600 - STUDENT DISCIPLINE

General Disciplinary Authority

Because the Board of Education is entrusted with protecting the safety, health, and welfare of the students, staff and property of the District, it may be necessary at times to discipline students whose conduct affects the well-being of the schools. The Board hereby authorizes the use of discipline in accordance with this policy. In accordance with constitutional due process and statutory requirements, the Board may suspend or expel students from school and from the school bus for acts of gross disobedience or misconduct and otherwise maintain discipline in the schools. Only the Board may determine to expel a student from school or from the school bus.

The Superintendent, building principal, and assistant building principal or designee is authorized to impose disciplinary measures and may suspend students guilty of gross disobedience or misconduct from school (including all school functions) and from riding the school bus, up to ten (10) consecutive school days per incident, provided the appropriate procedures are followed. The Board may suspend a student from riding the bus in excess of ten (10) days for safety reasons.

Prohibited Student Conduct

District administration is authorized to discipline students for gross disobedience or misconduct. Gross disobedience or misconduct is defined to include any behavior, conduct, or activity, as defined by the Board in its policies, that is egregious in nature and/or causes, or may reasonably cause, school authorities to forecast substantial injury or disruption or material interference with school-related activities or the rights of other students or school personnel or the risk of same.

Gross disobedience or misconduct may occur on school grounds, on a school bus or at a school activity or activity reasonably related to school. It also may occur in a situation other than on school grounds or at a school-related activity, provided, however, that a reasonable relationship exists between the conduct of the student and a potential impact on the school, its processes or student environment.

Gross disobedience and misconduct also shall include, but is not limited to, the following types of conduct and such other conduct as may be designated from time to time by policy of the Board or the administration:

- A. Insubordination to school personnel, including failure to follow directions or to produce student identification passes.
- B. Possession, use, purchase, sale, or distribution of, or any attempt to use or distribute, 1) any illegal or controlled substance, including alcohol, drugs or any look-alike drug or tobacco product, or 2) drug paraphernalia.
 1. "Controlled substance" means a drug or other substance identified under Sections I, II, III, IV or V in Section 202(c) of the *Controlled Substances Act*, 21 U.S.C. 812(c).
 2. "Look-a-likes" means a substance not containing an illegal drug or controlled substance

that the student believes or represents to be an illegal drug or controlled substance.

3. "Drug paraphernalia" means devices that are or can be used to: (a) consume, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances.
- C. Possession, use, purchase, sale, or distribution of, or any attempt to use or distribute any performance-enhancing substance or anabolic steroid unless administered in accordance with a physician's or licensed practitioner's orders.
- D. Possession, use, purchase sale, or distribution of, or any attempt to use or distribute any prescription drug or inhalant when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or physician's orders.
- E. Participation in gang, gang-like or gang-related activities.
- F. Exhibition of aggressive behavior, hazing or any kind of bullying or aggressive behavior, including cyberbullying, that does physical or psychological harm to a staff person or another student, or urging other students to engage in such conduct as further defined in the Board's Aggressive Behavior, Bullying and Harassment policy.
- G. Intimidation of, or any attempt to intimidate, school personnel or other students.
- H. Fighting with, or any assault of, school personnel or other students, or any use of violence, force, coercion, threats, intimidation, fear or other such conduct, or urging other students to engage in such conduct.
- I. Theft of or intentional damage to, destruction of, or any attempt to damage or destroy, school property or property of school personnel or other students, including the sale or distribution of stolen property.
- J. Verbal abuse of school personnel or other students, or use of profane or obscene words or gestures.
- K. Endangering of the physical or psychological well-being of school personnel or other students by conduct or actions, including, but not limited to:
 1. Improper release of a school fire alarm or tampering with fire extinguishers;
 2. Starting, or any attempt to start, a fire on school property; or
 3. Setting off, or any attempt to set off, explosive devices on school property.
- L. Possession, use or display, control or transfer of a firearm, weapon as defined in the administrative guidelines accompanying this policy.
- M. Possession or use of a pager or other electronic signaling device, cellular phone or cellular radio telecommunication device while in any school building or on any school property, during regular school hours or at any other time except as authorized by Board Policy [5510](#) (Student Use of Cellular Telecommunication Devices).
- N. "Sexting"; defined as sending, forwarding, displaying, possessing, sharing, retaining, storing or posting sexually explicit, lewd, indecent, or pornographic photographs or messages, including text, audio, video and image media, by or on a cell phone, computer, or other electronic means including an electronic storage site on the internet, including but not limited to social networking sites.
- O. Disruptive behavior or conduct.
- P. Repeated incidents of misbehavior, including repeated refusal to comply with school rules.
- Q. Truancy, *i.e.*, absence from school or classes without valid cause during a school day or portion thereof, provided, however, that no student shall be subject to punitive action for chronic

and habitual truancy, as that term is defined in the *School Code*, unless available supportive services have been provided to the student.

- R. Any activity, on or off campus, that interferes with, may reasonably be forecast to disrupt, actually disrupts, or adversely affects the school environment, school operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a student or staff member; or (b) endanger the health or safety of students, staff, or school property; or (c) cause, or may reasonably cause substantial injury or disruption or material interference with school-related activities or the rights of other students or school personnel.
- S. Academic dishonesty, including cheating and plagiarizing.
- T. Any other acts which violate the law, other Board policy or administrative guidelines.

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

Progressive Discipline

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, emotional or physiological harm to someone else. The Board policy regarding Aggressive Behavior, Bullying and Harassment will be used to address students who have demonstrated behaviors that put them at risk for aggressive behavior, including without limitation bullying. The Superintendent or designee shall make every reasonable effort to notify the parent/guardian of a student who engages in aggressive behavior of the incident. The failure to provide such notification does not limit the Board's authority to impose discipline, including suspension or expulsion, for such behavior.

Mandatory Expulsion for Bringing Weapons to School

It is the policy of this Board to expel from school for at least one (1) calendar year (but no longer than two (2) calendar years) any student who has possession or control of or uses or transfers a "weapon" at school, any school sponsored activity or event, or any activity or event which bears a reasonable relationship to school. The term "weapon" in this context is defined in the administrative guidelines accompanying this policy. The Superintendent may modify this mandatory expulsion period, and the Superintendent's recommendation may be modified by the Board on a case-by-case basis. Students eligible for special education and related services shall be considered for expulsion or other discipline for bringing weapons to school pursuant to the *Individuals With Disabilities Education Act* and as set out in the procedures set forth in the administrative guidelines accompanying this policy.

Discipline Based on Parent Refusal to Administer or Consent to Administration of Certain Medications

No student shall be subject to any disciplinary action that is based either totally or in part on the refusal of a student's parent or guardian to administer or consent to the administration of psychotropic or psychostimulant medication to the student. Nothing in this section, however, prohibits discipline of a student for violation of school behavior guidelines or engaging in gross disobedience or misconduct as defined in this policy and its accompanying administrative guidelines.

Maintenance of Discipline by Teachers and Other Employees

Teachers, other certificated employees, and any other person, whether or not a certificated employee, 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 persons, or for the purpose of self-defense or the defense of property. Teachers may remove students from the classroom for disruptive behavior.

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

Disciplinary Consequences

Disciplinary consequences may include, but are not limited to:

- A. Notifying parents/guardians.
- B. Disciplinary conference.
- C. Withholding of privileges.
- D. Seizure of contraband.
- E. Temporary removal from the classroom.
- F. Detention/Saturday School.
- G. In-school suspension. Student is removed from his/her classroom to another room in the school. The building principal or designee shall ensure that the student is properly supervised.
- H. Suspension from school and all school activities for up to ten (10) days, provided that appropriate procedures are followed. A suspended student is prohibited from being on school grounds and school related and/or sponsored events.
- I. Suspension of bus riding privileges.
- J. Expulsion from school and all school-sponsored activities and events for a definite time period not to exceed two (2) calendar years. An expelled student is prohibited from being on school grounds and school related and/or sponsored events.
- K. Notifying juvenile authorities or other law enforcement whenever the conduct involves potential criminal offenses.
- L. 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.

Students Eligible for Special Education

The Board shall abide by State and Federal laws and regulations when disciplining special education students. The Superintendent shall establish administrative procedures that shall be followed when disciplining any special education student.

Enrollment

The District shall not enroll a student who is under suspension or expulsion in the School District in which s/he was previously enrolled until such time as the duration of the suspension or expulsion imposed by the School District of prior enrollment is completed. The District is within their authority to require any incoming student to provide a Letter of Good Standing from an administrator from their previous public school district in which s/he was enrolled or a similar attestation from any private or out-of-state school. A student who is subject to suspension or expulsion may be eligible for a transfer to an alternative school program.

Parent-Teacher Advisory Committee

The District shall maintain a parent-teacher advisory committee to develop with the Board policy guidelines on student discipline, including school searches, and such committee may review these guidelines on an annual basis. In addition, the advisory committee, in cooperation with local law enforcement agencies, shall establish and maintain a reciprocal reporting system between the District and the local law enforcement agencies regarding criminal offenses committed by students. The advisory committee, in cooperation with the school administration and school bus personnel, shall establish and maintain school bus safety procedures. The Board, in consultation with the advisory committee and other community-based organizations, also shall develop rules and regulations containing parent notification and early intervention procedures aimed at students who have demonstrated behaviors that put them at risk for aggressive behavior, including but not limited to, bullying.

Distribution of this Policy

Students shall be informed annually of the Board's discipline policy. Additionally, this policy shall be distributed to the parents or guardian of each student within fifteen (15) days of the beginning of the school year, or within fifteen (15) days after a transfer student begins classes in the District.

Administrative Guidelines

The Superintendent is authorized to adopt administrative procedures to implement this policy.

LEGAL REF.:Gun-Free Schools Act, 20 U.S.C. §7151 et seq.

Pro-Children Act of 1994, 20 U.S.C. §6081.

105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.36, 5/10-21.7
5/10-21.10, 5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/24-24, 5/26-12, 5/27-23.7
and 5/31-3.

23 Ill.Admin.Code §1.280.

Cross Reference – Policies 1662, 3362, 4362 and 5517 (Anti-Harassment);
Aggressive Behavior, Bullying and Harassment policy

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