

## **STUDENT DISCIPLINE – ADMINISTRATIVE GUIDELINES**

The Board of Education recognizes that exclusion from the educational programs of the district, whether by suspension or expulsion, is a serious sanction. Prior to any suspension or expulsion, the district will provide appropriate due process as required by state and federal law.

### **Suspensions**

"Suspension" shall be the short-term removal (not more than 10 consecutive school days) of a student from a regular district program and loss of access to any school activity, whether conducted on or off district property, or to school property during the period of suspension.

A student may be given a short-term suspension of up to 10 consecutive school days by the superintendent, principal, assistant principal, or dean of students for each act of misconduct in violation of the disciplinary code of conduct, if so warranted.

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

1. When reasonable, before a student may be suspended, the student shall be provided a conference during which the charges will be explained and the student will be given an opportunity to respond to the charges.
2. However, a pre-suspension conference is not required and the student can be immediately suspended when, in the judgment of the responsible administrator, 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. The administration will make every reasonable effort to contact the student's parent(s)/guardian(s) and report the student's suspension. A written notice of the suspension shall state the behavior that resulted in the suspension, including any school rule that was violated, and a notice to the parent(s)/guardian(s) of their right to a review of the suspension.
4. Upon written request of the parent(s)/guardian(s), a review of the suspension shall be conducted by a hearing officer appointed by the board. The student will serve the suspension as prescribed during the suspension review process. At the review, the student's parent(s)/guardian(s) may appear and discuss the suspension with the hearing officer, may be represented by counsel, and may present any evidence on their behalf or question the administration regarding any of their evidence. After receipt of the hearing officer's report, the Board shall take such action as it finds appropriate.
5. After the student has served the term of his/her suspension, the administration shall attempt to schedule a reintegration meeting with the student and parent(s)/guardian(s) prior to the student returning to school. At the reintegration meeting, the administration,

student and parent(s) will develop strategies to ensure that the student is supported in his/her transition back into the classroom. These strategies may include, but are not limited to: student behavior contract; direct counseling services from the building social worker; student mediation; or the student's referral to an independent community agency or service for additional support.

### Expulsions

"Expulsion" shall be the long-term exclusion or permanent exclusion by the board of a student from the schools of this district for a period not to exceed two calendar years as determined by the board on a case by case basis. The superintendent or designee may recommend and the board may expel a student from school for gross disobedience or misconduct. In all cases, appropriate due process rights will be observed.

Only the Board of Education has the authority to expel students for a determined period of time for such offenses. Such exclusion includes access to any school activity, whether conducted on or off district property, and to any district property. A student may be expelled for gross disobedience or misconduct as defined and described in board policy. When a student is culpable of gross disobedience or misconduct, the district shall make every reasonable effort to notify the student's parents/guardian of the misconduct immediately or, when reasonably practicable.

Parents/guardians will receive written notice by registered or certified mail of the date, time and place of the expulsion hearing, the reasons for the expulsion referral and the date any subsequent expulsion would take effect.

### Weapons

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

- A. A firearm, defined as any gun, rifle, shotgun, weapon as defined by Section 921 of Title 18 of the United States Code, firearm as defined in Section 1.1 of the Firearm Owners Identification Card Act, or firearm as defined in Section 24-1 of the Illinois Criminal Code of 1991.
- B. A knife, brass knuckles or other knuckle weapon regardless of its composition, a billy club, or any object that is used or attempted to be used to cause bodily harm, including look-alikes of any of the firearms as defined in paragraph (A) above.

The expulsion periods in paragraphs A. and B. above may be modified by the superintendent or designee, and the superintendent's or designee's determination may be modified by the board on a case-by-case basis.

### Students Eligible for Special Education

When a special education student has committed an act of gross disobedience or misconduct which could result in an out-of-school suspension or referral for expulsion, the district shall make every reasonable effort to notify the student's parents/guardian of the misconduct.

### Suspensions

As a result of gross disobedience or misconduct, a special education student ordinarily may be suspended for up to 10 consecutive school days without constituting a change in placement regardless of whether or not the misconduct is related to their disability. However, any suspension beyond 10 cumulative school days will require additional procedural safeguards.

After a special education student is removed from his or her placement for 10 cumulative school days in a year, for any subsequent removal, the district shall provide services to the extent necessary to enable the child the opportunity to participate appropriately in the general curriculum and advance appropriately toward achieving IEP goals as determined by the student's teacher and authorized administrator. In addition, the district will comply with federal and state legal requirements regarding manifestation determination reviews and review, revision or development of a behavior intervention plan.

### Interim Alternative Educational Setting

If a student carries or possesses a weapon to/at school or school premises or at a school function, knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function, or inflicts serious bodily injury upon another person while at school, on school premises or at a school function, school personnel are specifically authorized to place the student in an appropriate interim alternative educational setting or another setting for up to 45 school days without regard to whether the conduct was a manifestation of the student's disability.

### Manifestation Determination Review

If a student with disabilities reaches 10 school days of suspension, the IEP team or Section 504 team must convene, within 10 days an IEP or Section 504 meeting and conduct a review to determine the relationship, if any, between the student's disability and the conduct subject to the disciplinary action. The student's conduct will be considered a manifestation of the student's disability if the team determines that:

1. The conduct in question was caused by or had a direct and substantial relationship to the student's disability; or
2. The conduct in question was the direct result of the school district's failure to implement the IEP/504 Plan.

If the student's conduct is a manifestation of the student's disability, the IEP/Section 504 team must consider the appropriateness of the student's current educational placement. The student may be returned to his/her current placement with modifications to the IEP/Section 504 document or behavior intervention plan or the team may consider alternative placements. If the student does not have a behavior intervention plan in place, a functional behavioral analysis of the student will be conducted and a behavior intervention plan developed.

If the student's conduct is not a manifestation of the student's disability, the student may be disciplined under the district's discipline policy for regular education students. Disciplinary action taken against the student may include but not be limited to:

1. Notifying parents/guardians.
2. Disciplinary conference.
3. Withholding of privileges.
4. Seizure of contraband.
5. Temporary removal from the classroom.
6. Detention/Saturday School.
7. 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.
8. Suspension from school and all school activities for up to 10 consecutive school days, provided that appropriate procedures are followed. A suspended student is prohibited from being on school grounds and school related and/or sponsored events.
9. Suspension of bus riding privileges.
10. Expulsion from school and all school-sponsored activities and events for a definite time period not to exceed two calendar years. An expelled student is prohibited from being on school grounds and school related and/or sponsored events.
11. Notifying juvenile authorities or other law enforcement whenever the conduct involves potential criminal offenses.
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.

## Expulsions

If the IEP/Section 504 team determines that the student's misconduct was a manifestation of the student's disability, the student cannot be expelled. If the IEP/Section 504 team determines that the misconduct was *not* a manifestation of the student's disability, the student may be referred to the Board of Education for an expulsion hearing, but must be provided a free and appropriate public education during any subsequent period of expulsion. The extent of those services will be determined by that student's IEP/Section 504 team.

If a special education student is referred to the Board of Education for expulsion proceedings, the procedures outlined in board policy \_\_\_\_\_ shall be followed.

## Reporting Firearm, Drug and Other Criminal Incidents

If a school official observes any person to be in possession of a firearm on the property comprising the school, on any conveyance used by the school to transport students to or from school-related activities, or on any public way within 1000 feet of the property comprising the school, the school official will immediately notify the office of the principal. Such notification may be delayed if necessary to avoid endangering students or the school official, but must be completed as soon as there is no longer immediate danger. (This provision does not apply when the school official knows the person to be a law enforcement official conducting official duties.)

Once the principal receives such a report from a school official or from any other person, the principal or designee will immediately notify a local law enforcement agency. If the person found to be in possession of a firearm is a student, the principal or designee also will immediately notify the student's parent or guardian. If the person found to be in possession of a firearm is a minor, the law enforcement agency will detain the person as required by law.

In addition, upon receipt of a report from any school personnel regarding a verified incident involving a firearm in a school, on school grounds, or on conveyance used to transport students, the superintendent or designee will report the incident immediately to local law enforcement authorities and to the Department of State Police in a form, manner and frequency as prescribed by the State Police. For purposes of these reporting requirements, a "firearm" shall be as defined in the administrative guidelines accompanying this policy.

Upon receipt of a written complaint from any school personnel, the superintendent must report all incidents of battery committed against teachers, teacher personnel, administrative personnel or educational support personnel to the local law enforcement authorities immediately after the occurrence of the attack and to the Department of State Police's Illinois Uniform Crime Reporting Program no later than three days after the occurrence of the attack.

Further, any incident of manufacture, delivery or possession with intent to deliver cannabis, a controlled substance or a look-alike occurring in a school, on school property, on a public way within 1000 feet of a school, or in a vehicle used to transport students must be reported to the police or the county sheriff by the principal or designee within 48 hours of its occurrence.

If the district reports to a law enforcement agency any crime committed by a special education student, the district shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate agency authorities, to the extent permitted by the Family Educational Rights and Privacy Act, with prior written notice to the parents and in accordance with the Board of Education's Policy on Student Records.

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