

OAK PARK AND RIVER FOREST HIGH SCHOOL

201 NORTH SCOVILLE AVENUE • OAK PARK, IL 60302-2296

TO: Board of Education

FROM: Greg Johnson

DATE: June 25, 2020

Re: Discussion on Student Code of Conduct

BACKGROUND:

The Board of Education approved the Student Code of Conduct/Behavior Education plan at its June 16, 2020 meeting after thoroughly reviewing it at the June 16 Committee of the Whole meeting. This is for informational purposes only.

RECOMMENDATION:

FYI only.

Strategic Plan: Priority 2

Board Goal:

District Policy: 4:40

Oak Park and River Forest High School

District 200

201 North Scoville Avenue • Oak Park, IL 60302-2296

TO: Board of Education
FROM: Greg Johnson
DATE: June 16, 2020
RE: Student Code of Conduct

BACKGROUND:

The Committee of the Whole reviewed the Student Code of Conduct for the 2020-21 school year at its meeting June 16, 2020.

RECOMMENDATION/NEXT STEP:

Move to approve the Student Code of Conduct for the 2020-21 School Year, as presented.

Oak Park and River Forest High School District 200

201 North Scoville Avenue □ Oak Park, IL 60302-2296

TO: Committee of the Whole of the Board of Education

FROM: Lynda Parker, Director of Student Services
Janel Bishop, Lead Dean
Greg Johnson, Associate Superintendent

DATE: 16 June 2020

RE: Student Code of Conduct for 2020-2021

BACKGROUND

The fall of 2019 represented a shift in our approach to student discipline at OPRF. We encourage the Board to think of this presentation as the third part of a three-part progression. The first part, delivered to our Board in October during our presentation of the UMOJA contract, detailed our commitment to restorative practices and presented our plan for the coming school year. The second part, provided this past April, provided an update on our student discipline data, as well as an overview of how we have begun to revise our responses to students based on our restorative practices. The third part of this is a presentation of our revised student code of conduct.

SUMMARY OF FINDINGS

Throughout this past school year, our team partnered with UMOJA to receive guidance and support as we worked to significantly revise our code of conduct. Our goal was to develop a code that would aid our implementation of a restorative approach to student discipline, providing us with the framework needed to improve our response to the systemic racial disparities that have persisted at OPRF.

As part of the development process, we gathered and responded to feedback from our student leadership group, a committee of teachers, faculty senate, and from our Culture, Climate and Behavior Committee this past week.

In response to our CCB meeting, we made the following changes:

- Re-sequenced the sections to improve clarity and flow.
- Added a glossary of terms.
- Added bullying to our response grid.
- Revised the due process explanation for greater clarity.
- Added a line to teacher responsibilities related to reporting student concerns to the appropriate personnel.
- Added a restorative justice practices grid that we have and will continue to train our administration and staff in.
- Allowed for greater flexibility in responses by changing language from “will” to “may” for each of the five levels of response.
- Made more explicit the connection between our guiding principles and the overarching racial equity focus of our strategic plan
- Omitted “acts of defiance” as a response category

Please see the attached report for more information.

RECOMMENDATION

Strategic Plan: Priority 2

Board Goals:

District Policy: 6:40

Move to approve to approve the Behavior Education Plan at the Special Board meeting on 16 June 2020.

Behavior Education Plan 2020-2021



**Oak Park and
River Forest
High School**

Universal Mindset Shifts

The Deans and Director of Student Services sought counsel with our school attorneys and a number of faculty and staff participated in a series of workshops and trainings under the direction of the Umoja Corporation with the intent to shift mindset away from our old practices and thoughts about what disciplinary actions look like.

SB100 - The Law

SB100 requires us to examine these guiding questions when considering using OSS as a disciplinary response. These questions are intended to be used in a progressive approach based on the severity of the infraction.

Would student's continuing presence pose:

- (a) a threat to the safety of other students, staff members, or the school community,**
- (b) a disruption to other students' learning opportunities,**
- (c) Substantially disrupt, impede or interfere with the operation of the school?**

Who are our students? How do we use data to inform our practice and help students? What is our true understanding of the infractions being committed?

Change our Response

Code of Conduct



Behavior Education Plan

Overview

The Behavior Education Plan is driven by the word “education” and at its core is a teaching and learning plan designed to support every student in their social, emotional, and academic development. We know behavior education is complex work that happens in classrooms and cafeterias, on buses and playing fields, and even offices and auditoriums. Whether you are a student, family member, community member, or staff member, we all have a responsibility to embody our beliefs, our expectations, and our commitments.

We Believe....

- In authentic relationships and a supportive community that fosters a sense of belonging
 - In a thriving school environment where staff and students are physically and emotionally safe
 - In the importance of student and staff voice in decision-making
 - Families and school staff must be collaborative partners in supporting every student
-

We Expect...

- Students, staff, and families to demonstrate respect to one another and hold high expectations for behavior
 - Students, staff, and families to build and sustain ongoing positive and authentic relationships
 - Students, staff, and families to contribute to a safe learning environment
-

We Will...

- Utilize innovative strategies and supports to create a positive school community where students, staff and families feel safe
- Provide school staff with the necessary resources, professional development and technical assistance to implement the Behavior Education Plan

Guiding Principles

When we decided to take this approach as a District, we developed the following key Guiding Principles that will drive this work.

At our core, we believe that a student's race should not be a predictor of their involvement in the discipline system.

We are grounded in a strong focus on **engagement and learning**

Whenever possible, we **avoid exclusionary practices**

We believe in **teaching and intervention** over consequences and punishment

We support **progressive discipline**, not "zero tolerance"

We believe that **strong school-family partnerships** are important

We will use **disaggregated data** to identify disparities, monitor progress, and drive decisions

We believe that **every child, when provided with appropriate support, can learn and succeed**

We support **proactive problem-solving** on behalf of students

Rights and Responsibilities

Supporting positive student behavior requires a high level of commitment from students, parents/guardians, teachers/staff, administrators, and members of the Board of Education. These stakeholder groups have the following rights and responsibilities that are designed to reflect both the mutual respect and accountability required of all people involved in supporting student behavior.

Student Rights & Responsibilities

ALL STUDENTS HAVE THE RIGHT TO:

- Be treated with courtesy, respect and dignity
- Attend school and be valued members of the school community
- Learn in a safe environment that is free of bullying, harassment and discrimination
- Receive instruction to learn school behavior expectations and social and emotional skills
- Access appropriate supports and services to succeed in school, including when experiencing behavioral incidents in the classroom or school environment or when subjected to being the target of peer misconduct
- Receive a written copy and clear explanation of the Behavior Education Plan
- Consistent implementation of the Behavior Education Plan and District policies
- Tell their side of the story and/or report unfair treatment to a person in authority
- Have a parent/guardian or advocate present at re-entry from out-of-school suspension conferences

ALL STUDENTS HAVE THE RESPONSIBILITY TO:

- Show respect and courtesy to all students, staff and school visitors. This includes respecting individual differences, cultural diversity, and the property of others
- Attend school daily, be prepared for class, engage in classroom activities and complete all assignments
- Contribute to a safe learning environment by managing their own behavior and reporting harmful or dangerous situations to an adult
- Understand and follow all school rules and instructions given by school staff
- Bring only those materials to school that are allowed
- Inform parents/guardians of school-related issues and give them any materials sent home by the school or district

Parent/Guardian Rights & Responsibilities

ALL PARENTS AND GUARDIANS HAVE THE RIGHT TO:

- Be treated with courtesy, respect and dignity
- Feel welcomed, valued, and connected to school staff and the school community.
- Access opportunities to learn school behavior expectations
- Receive a written copy and clear explanation of the Behavior Education Plan.
- Work in partnership with school staff to support their child's learning and healthy development at home and at school
- Engage in regular, two-way, meaningful communication with school staff regarding their child's academic and behavioral progress. This includes the right to be promptly notified when their child is removed from the instructional environment due to their behavior
- Actively participate in problem-solving with school staff related to their child's behavior
- Advocate for their child and report any unfair treatment to a person in authority

ALL PARENTS AND GUARDIANS HAVE THE RESPONSIBILITY TO:

- Show respect and courtesy to all students, staff and school visitors
- Review the content of the Behavior Education Plan with their child
- Understand the school's behavior expectations
- Work with the school as a collaborative partner. This includes working with staff to maximize their child's strengths and support the child to make changes in his/her behavior as needed
- Inform school officials about concerns in a timely and respectful manner
- Support their child to resolve problems peacefully while at school in order to contribute to a safe and positive school climate. This includes helping the child express anger without verbal attacks or physical violence

Teacher/Staff Rights & Responsibilities

ALL TEACHERS AND STAFF HAVE THE RIGHT TO:

- Be treated with courtesy, respect and dignity
- Work in a safe environment that maximizes staff performance and student learning
- Access opportunities for professional development and training to assist in creating and maintaining a thriving classroom environment that is respectful, engaging, vibrant and culturally relevant
- Access support for addressing student behavior when such conduct cannot be handled within the classroom environment (Response Level 2 and above)

ALL TEACHERS AND STAFF HAVE THE RESPONSIBILITY TO:

- Show respect and courtesy to all students, staff and school visitors
- Foster on-going, positive relationships with all students and families by working in true partnership to problem-solve around student needs and behavior
- Create a positive classroom and school climate for all students, using effective classroom management strategies that extend to all school environments
- Explicitly teach, acknowledge and reinforce behavior expectations
- Intervene promptly when inappropriate behavior occurs. This includes providing corrective feedback, re-teaching behavioral expectations, following Individual Education Plans and Behavior Intervention Plans of students, and adhering to procedures for student removals from the learning environment when needed
- Work with students and their parents/guardians to develop, implement, and monitor behavior interventions that support students in changing their behavior, using a progressive system of support
- Apply the Behavior Education Plan in a consistent manner and accurately record inappropriate student behavior following the established protocol
- Follow up promptly on reports of bullying as required by Board of Education Policy 7:180
- Refer student reports of serious concerns to the appropriate support personnel

School Administrator Rights & Responsibilities

ALL SCHOOL ADMINISTRATORS HAVE THE RIGHT TO:

- Be treated with courtesy, respect and dignity
- Work in a safe environment that maximizes staff performance and student learning
- Access support from district level administration to create and maintain a thriving school environment that is respectful, engaging, vibrant and culturally relevant

ALL SCHOOL ADMINISTRATORS HAVE THE RESPONSIBILITY TO:

- Show respect and courtesy to all students, staff and school visitors
- Foster on-going, positive relationships with all students and families by working in true partnership to problem solve around student needs and behavior
- Create a safe and caring school climate that maximizes learning
- Create, monitor and assess a school-wide management system
- Welcome parents/guardians as valued partners in their child's learning. This includes creating opportunities for regular, two-way communication and active participation at problem solving meetings by accommodating schedules and meeting language needs
- Review the Behavior Education Plan with students, staff and parents at the beginning of each school year and revisit it as necessary throughout the year
- Guide the Student Learning, Student Support Services and Special Education Teams in using and reviewing school-wide behavior data and evaluating the effectiveness of behavioral interventions. This includes monitoring data to identify and address disparities
- Ensure that all school staff meet the expectations outlined in the section entitled "Teacher/Staff Responsibilities"
- Support staff in implementing appropriate behavior interventions
- Apply the Behavior Education Plan in a consistent manner and accurately record inappropriate student behavior and interventions and disciplinary responses following the established protocol.
- Follow procedures for student removals from the learning environment
- Notify parents immediately if a student's infraction results in an out-of-school suspension
- Notify parents within 24 hours of inappropriate behavior and response, if there is not an out-of-school suspension (Response Levels 2-4)
- Follow up promptly on reports of bullying as required by Board of Education Policy 7:180

District Office Rights & Responsibilities

ALL DISTRICT OFFICE STAFF HAVE THE RIGHT TO:

- Be treated with courtesy, respect and dignity
- Work in a safe environment that maximizes staff performance

ALL DISTRICT OFFICE STAFF HAVE THE RESPONSIBILITY TO:

- Show respect and courtesy to all students, staff and school/district visitors
- Provide schools with the necessary resources, professional development and technical assistance to implement the Behavior Education Plan
- Communicate to all district staff that creating a positive school culture, supporting positive student behavior and developing appropriate student discipline practices are critical district priorities
- Ensure that appropriate data collection, monitoring and evaluation systems are available and utilized at the school and district levels. This includes using disaggregated data to allocate resources to support student behavior as well as evaluating program and staff effectiveness
- Engage in on-going monitoring of the implementation of the Behavior Education Plan and intervene as needed to ensure that it is enforced in a consistent manner
- Review student expulsion recommendations and determine whether or not such recommendations should move forward to the Board of Education
- Provide the Board of Education with timely and accurate information on the implementation of the Behavior Education Plan, as well as staff, student, parent and community feedback on the Behavior Education Plan

Board of Education Rights & Responsibilities

ALL BOARD OF EDUCATION MEMBERS HAVE THE RIGHT TO:

- Be treated with courtesy, respect and dignity
- Receive timely and accurate information on the implementation of the Behavior Education Plan, as well as staff, student, parent and community feedback on the Behavior Education Plan

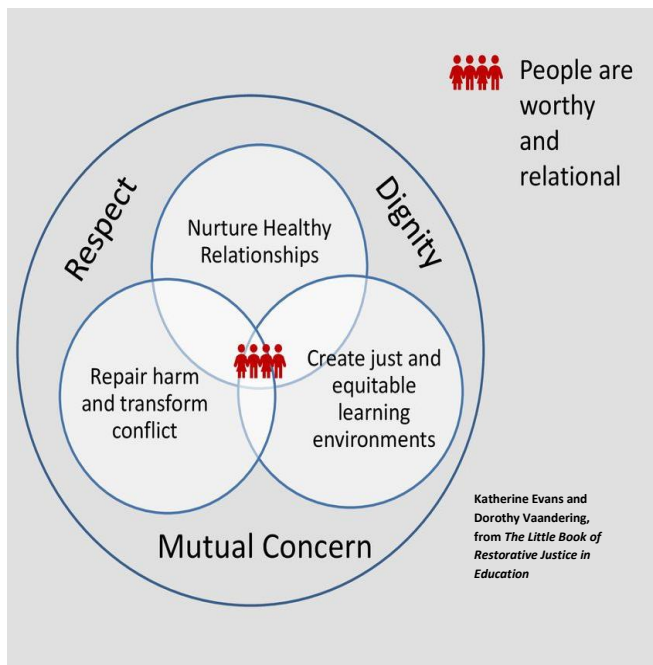
ALL BOARD OF EDUCATION MEMBERS HAVE THE RESPONSIBILITY TO:

- Show respect and courtesy to all students, staff, parents and administrators
- Use qualitative and quantitative data to create and evaluate policies that promote thriving school environments that are respectful, engaging, vibrant and culturally relevant
- Ensure that district administrators utilize appropriate data collection, monitoring and evaluation systems
- Annually review and consider changes, as appropriate, to the Behavior Education Plan
- Approve, modify or deny recommendations for student expulsions

Restorative Practices

The Behavior Education Plan is founded on principles of Restorative Justice in Education. At the center of this model is mindset, including the belief that all people are inherently worthy and want to be in strong relationships. We as a school are being supported in and increasing the use of a variety of Restorative Practices.

As a District, we work toward the transformation of school culture so that all members of the learning community, including students, teachers, staff, administrators, families, and community members feel they belong.



Restorative Practices focus on:

- Building and maintaining healthy relationships to create a caring culture where every member thrives
- Engaging in repairing harm and transforming conflict
- Establishing communities of re-entry and support after harm in order to welcome, integrate, and support students after an extended absence or for individualized support to build a more equitable learning environment

In order to do this work, staff and students will learn to teach and reinforce foundational beliefs and core practices. These include building and maintaining a just and equitable school community and culture, developing strong relationships, and using Restorative Practices such as a “circle process” as both a proactive and responsive strategy to prevent, identify, and repair harm through healthy dialogue.

We also believe in empowering, encouraging, and supporting student, family, and staff well-being. A focus on resiliency can help us regulate and respond to our challenging and complex realities and are directly linked to Restorative Practices.

Restorative Practices Continued

Below you will find the restorative practices that staff have and will continue to be trained in that will be woven into our daily work with students and families and are an integral part of the execution of this plan.

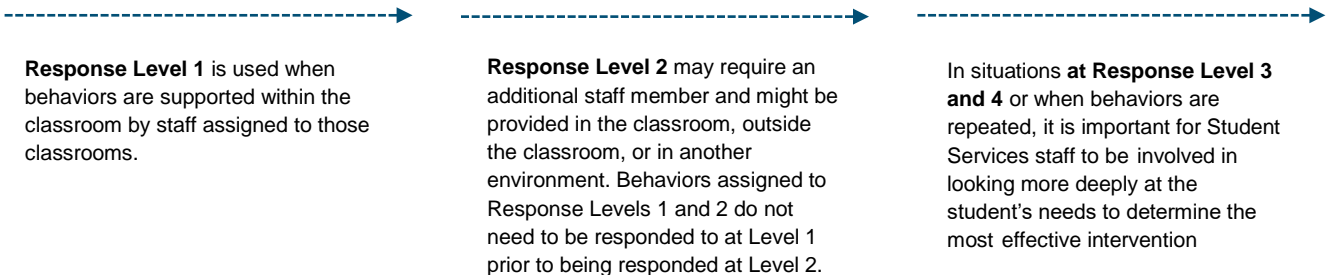
	RESTORATIVE JUSTICE PRACTICE	WHAT IS IT?	PRACTICE MOST EFFECTIVE WHEN...
RESPONSIVE INTERVENTIONS	RESTORATIVE CONVERSATION	Conversation to recognize harm & impact one has caused on self and others, repair the harm, and create action steps to prevent further harm from happening/not make the same harmful choices moving forward; a precursor to having a Peace Circle	<ul style="list-style-type: none"> • Students voluntarily participate • Students are given time to talk about the conflict, reflect on role in conflict, reflect on impact on self, others and school community • Students prepare for a Peace Circle if-needed or plan to communicate their reflections on role, impact, harm, and action steps to stakeholders as-needed • Students discuss self-regulation methods while waiting to engage in a Peace Circle process
	PEACE CIRCLE	Circle to resolve a conflict between multiple students; requires having Restorative Conversations with each participant prior to Peace Circle	<ul style="list-style-type: none"> • Students are de-escalated • Students voluntarily participate • Students are given time to talk together about the conflict, reflect on roles in conflict, reflect on impacts on self, others and school community, determine ways to repair harm, determine next steps for preventing further harm from happening
	STAFF/STUDENT MEDIATION	Conversation to resolve a conflict between staff and a student; requires having Restorative Conversations with each participant prior to mediation	<ul style="list-style-type: none"> • Students and staff voluntarily participate • Students and staff meet with Peace Room staff prior to mediation to pre-conference • Students and staff hear each others' perspectives, acknowledge roles in harm/conflict, and create agreements together about future harm prevention and resolution
	RE-ENTRY INTERVENTIONS	Conversations and/or circles done with students returning from suspension to support successful return to school, assess need for potential conflict resolution interventions/additional supports, and encourage relational repair	<ul style="list-style-type: none"> • School community is ready to welcome student back with positive regard and clear commitment to support moving forward • A re-entry action plan is created so that the same harm/conflict does not reoccur
PROACTIVE INTERVENTIONS	COMMUNITY BUILDING CIRCLE	Circles done with and in classrooms to build community (PROACTIVE) or address a class-wide challenge (RESPONSIVE)	<ul style="list-style-type: none"> • Teacher/staff requesting circle meets with Peace Room staff ahead of time to discuss circle goals and set expectations for circle facilitation • Peace Room staff meets with key students prior to circle if-needed to set behavior expectations • When addressing challenges or setting norms, multiple circles may be necessary • Teachers/Staff implement take-aways from outcomes from circle in classroom
	HEALING INTERVENTIONS	Conversations or circles for students who are grieving or needing to heal	<ul style="list-style-type: none"> • On a crisis/one-time basis; not a clinical or on-going approach to grief/trauma • Can be done in conjunction with counselors/mental health professionals
	TALKING CIRCLE	Circle between a group of students to discuss a specific topic	<ul style="list-style-type: none"> • Hosted during non-academic time (before/after school, lunch periods) • The circle topic relates to student interests, current events, school culture, etc. • Used as a way to orient students to circle structure while engaging in conversation relevant to student interests and needs
	CELEBRATION CIRCLE	Circle between a student/group of students, staff, and family members (optional) to celebrate successes in academics or behavior	<ul style="list-style-type: none"> • Specific growths or successes have taken place • Purely celebratory and positive



Overview of the Progression of Discipline

We recognize that even in the most supportive environment, we know students will make mistakes. The Behavior Education Plan is intended to help turn mistakes into authentic learning experiences and to pair appropriate consequences with additional support. The Behavior Response Grid provides staff and administrators with guidance in making decisions about how to respond to student behavior. The Behavior Education Plan identifies 5 levels of possible responses to student behavior. Each behavior is assigned to one or more of these Response Levels. Staff and administrators may use only the Response Levels identified for each behavior. Further, an intervention must be put in place before progressing to the next Response Level for a repeat of the same behavior.

Level 1	Classroom managed Is not a referral that appears in Skyward Classroom intervention before progressing to Level 2
Level 2	Administrative facilitated restorative response, May result in removal from class May result in an In-School Reflection (ISR) for up to 1 day
Level 3	Administrative facilitated restorative response, May result in 1-3 days of In-School Reflection (ISR)
Level 4	Administrative facilitated restorative response, May result in 1-3 days of Out of School Suspension (OSS)
Level 5	Intensive Administrative Intervention, May result in 4 or more days of Out of School Suspension (OSS) and/or recommendation for expulsion



Example

If a student is being disruptive and the teacher successfully supports the student in the classroom to change their behavior, the behavior is responded to at Level 1. If a student is being disruptive and the behavior requires additional support from Support Staff, the behavior is responded to at Level 2. For behaviors that are assigned response Levels 2 and 3, the behavior must first be responded to at Level 2 prior to that behavior being responded to at Level 3.

The following three pages include the full Behavior Response Grid, providing the specific language and Response Levels for each behavior.

RESPONSE LEVEL 1 Classroom Managed	RESPONSE LEVEL 2 Administrative facilitated restorative response, Up to 1 day of In-School Reflection	RESPONSE LEVEL 3 Administrative facilitated restorative response, 1 to 3 days of In-School Reflection	RESPONSE LEVEL 4 Administrative facilitated restorative response, 1 to 3 days of Out of School Suspension	RESPONSE LEVEL 5 Intensive Administrative Intervention, 4 or more days of Out of School Suspension and/or Recommendation For Expulsion
--	---	---	---	--

Alcohol, Drugs, Tobacco	Level 1	Level 2	Level 3	Level 4	Level 5
Possession and/or being under the influence of...					
...any tobacco product, vaping device, or any other nicotine inhaler (for example: a JUUL device, an electronic cigarette, etc.).		•	•		
...any beverage containing alcohol.		•	•	•	
...marijuana and/or possession of any drug paraphernalia. (Only includes possession of less than or equal to one (1) gram.)		•	•	•	
...marijuana. Only includes possession of more than or equal to one (1) gram.				•	•
...any drug other than marijuana.				•	•
Purchasing vapes, marijuana and/or any drugs other than marijuana.			•	•	•
Distributing...					
...a beverage containing alcohol or over-the-counter cough and cold medicine, including "Triple C," and medications containing dextromethorphan (DXM).			•	•	•
...a drug or drugs including marijuana, to another student.				•	•
Bullying					
Bullying/Cyber-bullying (See Board Policy 7:180 and Glossary of Terms)			•	•	
Disruptive and Uncooperative Behaviors					
Behavior that disrupts instruction and the learning of other students in the classroom. See the Glossary of Terms for a definition of "disruption."	•	•	•		
Violation of the Academic Honesty Policy (cheating)	•				
Taunting, baiting, inciting and/or encouraging a classroom disruption	•	•			
Leaving class without permission.	•	•			
Leaving the school building without permission.		•			
Being truant in or out of the building, in the hallway or an unauthorized area without permission, and/or not returning to class when directed by school staff.	•	•			
Any serious misconduct not otherwise addressed within the Behavior Education Plan that directly or indirectly jeopardizes the health, safety or property of a school, the school district, school personnel, other students, one's self, or other individuals who are present or acting within the school's jurisdiction.		•	•	•	•

RESPONSE LEVEL 1 Classroom Managed	RESPONSE LEVEL 2 Administrative facilitated restorative response, Up to 1 day of In-School Reflection	RESPONSE LEVEL 3 Administrative facilitated restorative response, 1 to 3 days of In-School Reflection	RESPONSE LEVEL 4 Administrative facilitated restorative response, 1 to 3 days of Out of School Suspension	RESPONSE LEVEL 5 Intensive Administrative Intervention, 4 or more days of Out of School Suspension and/or Recommendation For Expulsion
--	---	---	---	--

Failure to respect materials, property of others	Level 1	Level 2	Level 3	Level 4	Level 5
Failure to respect materials, property, and stealing from others		•	•		
Firearms/Weapons (See Board Policy 7:190)	Level 1	Level 2	Level 3	Level 4	Level 5
Possession of...					
...a look-alike (e.g., handgun, rifle, shotgun, starter pistol, etc.) is not used to threaten, intimidate, harm, or cause a disruption.			•	•	•
...a look-alike is used to threaten, intimidate, or harm another person or to cause a disruption.					•
...a weapon, other than a firearm or other gun, or look-alike gun		•	•	•	•
...and actual, attempted, or threatened use of a weapon, other than a firearm or other gun, toward another person or to cause a disruption.					•
...a firearm, as defined by the federal and state law (e.g., handgun, rifle, shotgun, starter pistol, etc. See board policy above. See also, possession of bomb or other explosive device.					•
Fires/Explosives/Flammables	Level 1	Level 2	Level 3	Level 4	Level 5
Setting a fire, or attempting to set a fire.			•	•	•
False alarms - Activating the school's fire and/or other alarm systems, reporting a fire when no fire exists, or making a false alarm call to 911.			•	•	•
Possession of fireworks, a smoke bomb, munitions, pepper spray/gas, MACE, tear gas, stink bomb, or any inherently dangerous substance/object, or any illegal device, illegal product, or illegal material that is not specifically covered elsewhere within the Behavior Education Plan.			•	•	•
Possession of a bomb or other explosive device not covered elsewhere in the Behavior Education Plan.					•
Attempting to or actually using a firework, smoke bomb, pepper spray/gas, MACE, tear gas, or stink bomb.			•	•	•
Making a bomb threat or threatening to set off an explosive device without actual possession of the bomb or explosive device.				•	•
Forgery	Level 1	Level 2	Level 3	Level 4	Level 5
Writing the name of another person to be represented as a writing or original signature of that person or altering any written record or document (such as dates, times, passes, and permits) without permission.	•	•	•		
Gambling	Level 1	Level 2	Level 3	Level 4	Level 5
Playing any game of chance or skill for money or any item of value.	•	•			
Gang Activity	Level 1	Level 2	Level 3	Level 4	Level 5
Possessing or wearing articles of clothing (hats worn at an angle, pant legs worn at different lengths, etc.), jewelry, and/or possessing or displaying other materials or wearing objects that depict gang symbols or indicate gang involvement		•	•		
Drawing, displaying, or promoting gang and/or look-alike graffiti/symbols		•	•	•	
Engaging in any activity or conduct that may indicate gang involvement		•	•	•	

RESPONSE LEVEL 1 Classroom Managed	RESPONSE LEVEL 2 Administrative facilitated restorative response, Up to 1 day of In-School Reflection	RESPONSE LEVEL 3 Administrative facilitated restorative response, 1 to 3 days of In-School Reflection	RESPONSE LEVEL 4 Administrative facilitated restorative response, 1 to 3 days of Out of School Suspension	RESPONSE LEVEL 5 Intensive Administrative Intervention, 4 or more days of Out of School Suspension and/or Recommendation For Expulsion
--	---	---	---	--

	Level 1	Level 2	Level 3	Level 4	Level 5
Hazing/Initiation Rites					
Any intentional or reckless act directed against a student that endangers the mental or physical health or safety of a student; or coercing, compelling, or instructing a student to perform any act that endangers his or her mental or physical health or safety for the purpose of or as a condition of being initiated into, holding office in or maintaining membership in any formal or informal student organization/group or in any fraternity, sorority, gang, or other prohibited secret society as defined in the School Code of Illinois (ILCS 5/31, Board Policy 5:90)		•	•	•	
Inappropriate clothing					
Violation of the OPRF Dress Code	•	•			
Inappropriate language and/or expression					
Verbal, written, and non-verbal threats, or written or verbal put downs toward another person where there is not reasonable concern for the risk of bodily harm.	•	•			
Swearing, cursing, or making obscene gestures.	•	•			
Use of racial slurs, or protected class references directed toward another person or group. Board Policy 7:12		•	•	•	
Serious threats, including the use of social media to threaten someone or to cause a disruption.		•	•	•	
Inappropriate physical contact (non-sexual)					
Play fighting or any other aggressive physical contact (for example: hitting, slapping, pushing, grabbing, tripping, shoving, spitting, etc.) by one student directed at another student that does not rise to the level of fighting.	•	•	•		
Excessive physical aggression (Fighting or a physical attack against a student; two or more persons committing violence or inflicting injury to another person.). Note: Self-defense is described as an action taken to restrain or block an attack by another student or to shield oneself from being hit by another person. Responsive action, such as hitting a person back, is not self-defense and may be considered excessive physical aggression.		•	•	•	•
Use of physical force, including the use of an object, directly against or affecting a staff member of OPRFHS or any adult who is legitimately exercising authority at the school or during any school activity.			•	•	•
Inappropriate touching, exposure, and/or sexual contact (Board Policy 7:20)					
Non-consensual touching of a person's buttocks, breasts, and/or genitals/private areas.			•	•	
Non-Consensual Sexual Activity.			•	•	•
Consensual Sexual Activity - engaging in sexual intercourse, including oral sex and/or penetration.		•	•		
Physically displaying one's buttocks, breasts, or genitals.		•	•	•	
Removing or adjusting the clothing of another person (including, for example, pulling down another student's pants) in a manner that causes, or was an attempt to cause, the exposure of the other person's undergarments and/or buttocks, breasts, or genitals.			•	•	

RESPONSE LEVEL 1 Classroom Managed	RESPONSE LEVEL 2 Administrative facilitated restorative response, Up to 1 day of In-School Reflection	RESPONSE LEVEL 3 Administrative facilitated restorative response, 1 to 3 days of In-School Reflection	RESPONSE LEVEL 4 Administrative facilitated restorative response, 1 to 3 days of Out of School Suspension	RESPONSE LEVEL 5 Intensive Administrative Intervention, 4 or more days of Out of School Suspension and/or Recommendation For Expulsion
--	---	---	---	--

	Level 1	Level 2	Level 3	Level 4	Level 5
Inappropriate use of technology					
Inappropriate use of district-provided devices and/or accounts.	•	•	•		
Recordings/images of another person					
Making, transmitting, or distributing any images or recordings, audio or video, in the classroom without teacher permission.	•	•	•		
Making, transmitting, or distributing any recording that has not been approved or authorized by the school or, the voice or image of any other student, staff member or other person without the consent of the person(s) so recorded.		•	•		
Sexual, explicit, obscene, or lewd materials					
Possessing pornographic material or observing pornographic material.		•	•	•	
Possessing, making, transmitting, or disclosing any image of any student, minor, staff member, parent, school volunteer, or other adult with supervisory authority in a nude or partially nude state, regardless of consent.		•	•	•	•
Use of unauthorized items					
Use of any non-educationally required device, electronic or otherwise, that detracts from and/or disrupts learning of oneself, or others is prohibited (e.g., laser pointer, cell phones).	•	•			

Overview of Suspension, Expulsion, and Other Procedures

Detentions

Response Level 2 conduct may result in a consequence to be served outside the normal school day. A detention or Saturday detention may be issued. Detentions are scheduled in sessions that are hour increments – one, two, or three hours. However the actual length of the detention is slightly shorter than an hour per session. Detention hours are from 7:10-7:50 a.m., during all lunch periods, and 3:10 to 5:50 p.m. Monday through Friday. Students who fail to serve detentions will receive Loss of Privileges and may be ineligible to participate in or attend extra-curricular or other after-school activities. Any junior or senior student who fails to serve detentions may also lose their off-campus lunch privilege.

Saturday Detentions

Saturday detention begins promptly at 8 a.m. and ends at 11 a.m. Students assigned to Saturday detention must bring appropriate work and/or reading material. Students who do not come prepared, arrive late, sleep, talk, or otherwise disrupt detention will be sent home and/or assigned additional consequences. Failure to report to detention may result in additional disciplinary consequences. Students must bring a photo ID to be admitted. Students will be required to obtain their own transportation to Saturday detention.

Loss of Privileges

Failure to serve outstanding detentions and certain conduct that falls within Response Level 4 or 5 may result in a Loss of Privileges for a length of time to be determined by the administration. Students with a Loss of Privileges are not allowed to attend any athletic or extra-curricular activities at OPRF or away from OPRF when our school is a participant. Students serving an In-School Reflection or Out-of-School Suspension automatically receive a Loss of Privileges throughout the duration of their reflection/suspension.

In-School Reflection (ISR)

In-School Reflection Center is a disciplinary response in which a student is removed from the classroom environment and assigned to work in a different location within the school building. This space is designed to give students a chance to reflect on decisions that the student made that caused a disciplinary assignment to be issued but also help them in improving their decision making process in the future. Supports will also be given in the areas of academics, social/emotional, and restorative practices.

What are the key components of ISR?

- **School work/Academic support:** School work will be provided from teachers.
- **Repair/reflection:** the student reflects on the incident that occurred and collaboratively develops a plan with adults to repair harm, restore relationships, and/or support social and emotional growth of oneself and the school community
- **Behavior support:** if the student needs behavior support, that is also provided
- **Social/Emotional Support:** will be provided by Social Work staff, including the creation of a Behavior Support Plan

Out of School suspension (OSS)

During an Out of School Suspension (OSS) the student is not allowed to attend regular classes or other extracurricular activities associated with the school. Prior to any OSS, students must have the opportunity to share their version of the incident. If a student is suspended, parents/guardians must be notified promptly of the suspension, by phone if possible. They will also be given written notice of the suspension. The OSS process includes a right to appeal the suspension (Board Policy 7:200).

Re-entry Meeting

Following any Out of School Suspension, a Re-entry Meeting will be scheduled; parents and students will be invited to participate and school staff will facilitate the conference. The purpose of the Re-entry Meeting is to provide an opportunity for the student to reconnect with the school community in a positive way and to address any unresolved issues related to the suspension. The development of a Behavior Support Plan will be initiated at this meeting. The development of this plan will be one of the first interventions utilized to help the student successfully move forward having learned skills and strategies to use in the future that will hopefully prevent them from engaging in similar behaviors.

Expulsion

Response Level 5 conduct may result in a student being recommended for expulsion from school unless prohibited by the IDEA and/or state law. The District's legal authority for expelling a student and the steps to be followed are explained in Board Policy 7:210. All recommendations for expulsion will be reviewed by the Administrative Student Discipline Review Committee. This district-level

administrative committee will determine whether or not to approve moving forward with the expulsion process.

In circumstances where a student's conduct falls into Response Level 3 or 4 AND causes a serious physical injury (defined in Glossary of Terms) to another person, a recommendation for expulsion may be initiated.

Surrender for Safety

Surrender for safety acknowledges that students make mistakes and may unintentionally bring inappropriate items to school. Students are expected to learn from these mistakes. If a student voluntarily surrenders possession of a weapon or other inappropriate item to a school or alternative program staff member before being asked about the item or being discovered to be in possession, they will not be subject to the disciplinary consequences set forth above.

Extra-Curricular Code of Conduct

Because participation in OPRF extra-curricular and athletic programs is a privilege and not a right, the Extra-Curricular Code of Conduct provides additional expectations, consequences, and interventions in place for student participants.

Student Searches

In accordance with state and federal law (105 ILCS 75, 5/10-20.14, 5/10-22.6, 5/10-22.10a.), students and their personal belongings are subjected to search whenever school authorities have a reasonable suspicion that the search will produce evidence that the student has violated a school rule or the law.

Other property and areas are subject to search in accordance with the Illinois School Code (10-22.6): "To maintain order and security in the schools, school authorities may inspect and search places and areas such as lockers, desks, parking lots, and other school property and equipment owned or controlled by the school, as well as personal effects left in those places and areas by students, without notice to or the consent of the student, and without a search warrant. As a matter of public policy, the General Assembly finds that students have no reasonable expectation of privacy in these places and areas or in their personal effects left in these places and areas. School authorities may request the assistance of law enforcement officials for the purpose of conducting inspections and searches of lockers, desks, parking lots, and other school property and equipment owned or controlled by the school for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs. If a search conducted in

accordance with this Section produces evidence that the student has violated or is violating either the law, local ordinance, or the school's policies or rules, such evidence may be seized by school authorities, and disciplinary action may be taken. School authorities may also turn over such evidence to law enforcement authorities." (Board Policy 7:140)

Use of Breathalyzers and Non-Invasive Drug Tests

The use of non-invasive drug tests (for marijuana) and breathalyzers (alcohol) is considered a search under the U.S. Constitution. Therefore, if school personnel reasonably suspect that a student is under the influence at school or at a school-sponsored function, they may employ the use of such tests to determine whether or not a student has used marijuana or alcohol. The use of such tests is in accordance with the Illinois School Code reference above.

Loss of Personal Property

School is not the place for valuable items like expensive jewelry and electronic devices. These items become easy targets for theft when students fail to lock their hallway or PE locker or when they leave them unattended around the school. Students who choose to bring these items to school do so at their own risk. OPRF is not responsible for these items and will not pursue the recovery of such items.

Gangs, Secret Societies, Fraternities or Sororities

Any form of organized group activity not approved by the school, or which is disruptive to the school environment in any way, will not be allowed.

Rights, Due Process, and Jurisdiction

Collaboration is Key

Typically, staff, students, and families should have collaborative discussions when disciplinary responses are used for behaviors. Any time there is a behavior that requires a response under the Behavior Education Plan, the school, student, and parent/guardian should work together to create a Behavior Support Plan that will specifically target the behaviors in question and facilitate the development of tools the student can use to respond to situations differently in the future. This collaboration should result in an authentic learning experience that will promote student growth.

Due Process

Due process protects the rights of individuals. It includes a clear explanation of the behavior that occurred, an explanation of why it violates the Behavior Education Plan, and a chance for the student to be heard. Some violations of the Behavior Education Plan can lead to a referral for a disciplinary hearing. Policy 7:200 and 7:210 are designed to ensure that a student's due process rights are not violated, that rights of students with special needs are respected, and that a safe and orderly environment is maintained. Parents will be advised of their right to request a formal hearing if the allegations against their student could lead to the student's suspension or expulsion.

Scope of the Plan and Jurisdiction

The Behavior Education Plan applies to all educational programs and placements utilized by the district. Consequences may be imposed for behaviors that occur while the student is at school, during school hours and immediately before and after school; participating in any school-sponsored or supervised activity, including athletic events and field trips; under the direct supervision of a District employee or volunteer; or while using District-provided transportation (e.g. yellow buses). Consequences may apply to behavior that occur outside the school day and off school property only if that conduct endangers the property, health or safety of others at school or under the supervision of a school authority or endangers the property, health or safety of any employee or school board member of the District. This may include behaviors that involve social media that endanger the health and safety of those in the school.

Glossary of Terms

Aggressive Physical Contact: Any act having the potential to cause injury to another person but does not rise to the level of fighting. Examples include play fighting, hitting, slapping, pushing, grabbing, tripping, shoving, spitting, etc.

Bomb Threat: Written, verbal or physical threats falsely suggesting the presence of a bomb in the building.

Bullying: See Board Policy 7:180. *Bullying* includes *cyber-bullying* and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

- Placing the student or students in reasonable fear of harm to the student's or students' person or property;
- Causing a substantially detrimental effect on the student's or students' physical or mental health;
- Substantially interfering with the student's or students' academic performance; or
- Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Child Pornography: In Illinois, a person commits the offense of child pornography by videotaping or photographing anyone he or she should know is under the age of 18 and who is engaged in any sexual act or in any pose involving lewd exhibition of unclothed or transparently clothed genitals, pubic area, buttocks, or female breast. There is no exception for taking pictures of oneself.

Consent: Consent is a clear and unambiguous agreement, through mutually understandable words or actions, to engage in a particular activity. Consent occurs when someone agrees, gives permission or says "yes" to sexual activity with another person(s). Consent is always freely given and may not be valid if a person is being subjected to actions or behaviors that elicit emotional, psychological, physical or reputational pressure or threats. Consent is also not valid if it is given

under pressure, force, threat, coercion, or without the full and informed consent of all persons involved. Consent may not be given if the person is 1) a minor under certain circumstances that may result in a violation of State or federal law, 2) mentally disabled, 3) mentally incapacitated, 4) physically helpless, 5) under the influence of alcohol or drugs to the point of being unable to make rational decisions, or 6) unconscious or asleep. Consent can be withdrawn at any time. Consent of one sexual activity or past sexual activity does not imply consent to other sexual activities. Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person.

Disruptive Behavior: Behavior that intentionally interferes with instruction in a manner that inhibits other students from accessing instruction, including refusal to comply with the specific directions of a person in authority.

Distribution: Sharing, selling (for money or other consideration), or giving away drugs or alcohol. In instances of sharing (where no money or other consideration is exchanged), only the student who brought the drugs or alcohol to school or a school-sponsored event shall be cited for distribution.

Drugs: All illegal drugs, controlled substances, narcotics, and prescription medications. The definition does not include prescription medications that are possessed 1) while under the care of a licensed healthcare provider who prescribed the drug to the student AND 2) in conformance with District policies regarding the administration of medication at school.

Drug Paraphernalia: Any object and/or material intended to assist in the use of drugs.

Due Process: The procedure that protects the rights of individuals. It includes a clear explanation of the behavior that occurred, an explanation of why it violates the Behavior Education Plan, and a chance for the student to be heard. Policy 7:200 and 7:210 are designed to ensure that a student's due process rights are not violated, that rights of students with special needs are respected, and that a safe and orderly environment is maintained. Parents will be advised of their right to request a formal hearing if the allegations against their student could lead to the student's suspension or expulsion.

Electronic Cigarette/E-Cigarette: Handheld electronic device that simulates the feeling of smoking. It works by heating a liquid to generate an aerosol, commonly called a "vapor", that the user inhaled.

Expulsion: Removal from school by the Board of Education for a period longer than ten (10) school days and up to two school years.

Failure to Identify Self: Lack of current school ID, refusal to present an ID upon request, failure to present one's own ID to identify self upon request, or failure to correctly identify self.

False Alarm: Activating the school's fire alarm or other alarm system for a reason other than the intended purpose of the alarm, reporting a fire when no fire exists, or making a false alarm call to 911.

Fighting: Repeated physical contact between two or more students that is harmful, injurious, or disruptive. Self-defense is an action taken to restrain or block an attack by another person or to shield oneself from being hit by another person. Response action, such as hitting a person back, is not self-defense and may be considered as fighting.

Forgery: Signing another person's name to any document; falsifying records; falsification of information.

Gambling: Illegal participation in games of chance for money and/or other items of value.

Gang Activity:

- Possessing or wearing articles of clothing (hats worn at an angle, pant legs worn at different lengths, etc.) jewelry, and/or possessing or displaying other materials or wearing objects that depict gang symbols or indicate gang involvement.
- Drawing, displaying, or promoting gang and/or look-alike graffiti/symbols.
- Flashing gang signs.
- Recruiting individuals.
- Gang membership.
- Engaging in any activity or conduct that may indicate gang involvement.

Hazing/Initiation Rites: Any intentional or reckless act directed against a student that endangers the mental or physical health or the safety of a student; or coercing, compelling, or instructing a student to perform any act that endangers his or her mental or physical health or safety; for the purpose of or as a condition of being initiated into, holding office in or maintaining membership in any formal or informal student organization/group or in any fraternity, sorority, gang, or other prohibited secret society as defined in the School Code of Illinois.

Illegal Organizations: Clubs, organizations, fraternities, sororities, and secret societies (including gangs) that are not approved by the Board of Education or School Code of Illinois (Violation of Article 31).

Inappropriate Attire: See OPRF Student Dress Code

Inappropriate use of Technology: Users may access technology for educational purposes only. Exercising this privilege requires that users accept responsibility for all material viewed, downloaded, and/or produced. Users will need to evaluate the validity of materials accessed through technology and cite their sources when appropriate. (See Access to Electronic Networks - Policy 6:235).

Loss of Privileges: Students may receive a Loss of Privileges for certain infractions of the Behavior Expectation Plan. Students with a Loss of Privileges are not allowed to attend athletic and extra-curricular activities at OPRF and or away from school where OPRF is a participant.

Non-educationally Required Device: Any device that has the potential to detract from and/or disrupt student learning, whether electronic or otherwise, including, but not limited to, laser pointers, cellular phones, personal digital assistants (PDAs), personal music/video/gaming devices (e.g., Nintendo DS, iPods, MP3 players), educationally required Device electronic tablets, cameras, and/or any other image/voice capturing device.

Possession of Stolen Property or Theft: No person may steal personal or public property, be in possession of stolen property, or be in possession of property the student is not authorized to have.

Restitution/Restoration: Appropriate financial reimbursement for damage to or loss of school or personal property. Restoration will include work or financial restitution necessary to restore or replace damaged property.

Serious Threat: Engaging in conduct that places a person in a reasonable apprehension of bodily harm including, but not limited to, non-verbal aggression/intimidation, verbal statements, or written statements.

Sexting: The practice of sending nude or semi-nude pictures by cell phone or other electronic media; it is a sexual text ('sext') message. A sexting minor, or a recipient of a sext message from a minor, may have committed one or more felonies under the Illinois Child Pornography Act (720 ILCS 5/11-20.1).

Sexual Harassment: Unwelcome sexual advances, request for sexual favors or other unwelcome verbal or physical conduct of a sexual nature. See Board Policy 7:20.

Sexual Misconduct: Engaging in sexual activity on school property and/or at school-sponsored functions. See Board Policy 7:20.

Smoking/ Tobacco Possession or Use: Possession or use of tobacco on school property in any form is prohibited by section 10-20.5b of The School Code of Illinois. School policy prohibits possession, control, distribution, transfer or use of tobacco or tobacco products during the school days, at all school-related activities and in related areas and at related events.

Trespassing – entering school grounds or a school building or space within a building without permission to do so or remaining on school grounds or in a school building or space within a building after being told to leave by District staff

Truancy: Absence from school, class, study hall or other assignments without permission.

Unauthorized Area: Presence in an area to which the student is not assigned, presence in an area without permission (including elevators), presence in an area that is not supervised by a staff member, or presence in the building during the time that the building is considered closed.

Vandalism: Destroying, mutilating and defacing objects or materials belonging to the school, school personnel or another person, littering any area of the building (including food fights) or littering in the school neighborhood. Restitution or restoration is required for any resulting damage.

Vaping: Inhaling and exhaling the vapor produced by an electronic cigarette or similar device.

Weapon: May include the following: chemical substances, guns, knives, look-alike weapons, any object that may be used as a weapon or any object altered to become a weapon. These items are not permitted on school property or at any school-sponsored event. Board Policy 7:190..

Appendix

5:90 Abused and Neglected Child Reporting

Any District employee who suspects or receives knowledge that a student may be an abused or neglected child or, for a student aged 18 through 21, an abused or neglected individual with a disability, shall: (1) immediately report or cause a report to be made to the Illinois Dept. of Children and Family Services (DCFS) on its Child Abuse Hotline 1-800-25-ABUSE (1-800-252- 2873)(within Illinois); 1-217-524-2606 (outside of Illinois); or 1-800-358-5117 (TTY), and (2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. Any District employee who believes a student is in immediate danger of harm, shall first call 911.

The report shall include, if known:

1. The name and address of the child, parent/guardian names, or other persons having custody;
2. The child's age;
3. The child's condition, including any evidence of previous injuries or disabilities; and
4. Any other information that the reporter believes may be helpful to DCFS for its investigation.

The employee shall also promptly notify the Superintendent or Principal that a report has been made. The Superintendent or Principal shall immediately coordinate any necessary notifications to the student's parent(s)/guardian(s) with DCFS, the applicable school resource officer (SRO), and/or local law enforcement.

Any District employee who discovers child pornography on electronic and information technology equipment shall immediately report it to local law enforcement, the National Center for Missing and Exploited Children's CyberTipline 1-800-THE-LOST (1- 800-843-5678) or online at report.cybertip.org/ or www.cybertipline.com. The Superintendent or Principal shall also be promptly notified of the discovery and that a report has been made.

Any District employee who observes any act of hazing that does bodily harm to a student must report that act to the Principal, Superintendent, or designee who will investigate and take appropriate action. If the hazing results in death or great bodily harm, the employee must first make the report to law enforcement and then to the Superintendent or Principal. Hazing is defined as any intentional, knowing, or reckless act directed to or required of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any group, organization, club, or athletic team whose members are or include other students.

Abused and Neglected Child Reporting Act (ANCRA), School Code, and *Erin's Law* Training

The Superintendent or designee shall provide staff development opportunities for District employees in the detection, reporting, and prevention of child abuse and neglect.

All District employees shall:

1. Before beginning employment, sign the *Acknowledgement of Mandated Reporter Status* form provided by DCFS. The Superintendent or designee shall ensure that the signed forms are retained.
2. Complete mandated reporter training as required by law within one year of initial employment and at least every five years after that date.

The Superintendent will encourage all District educators to complete continuing professional development that addresses the traits and identifiers that may be evident in students who are victims of child sexual abuse, including recognizing and reporting child sexual abuse and providing appropriate follow-up and care for abused students as they return to the classroom setting.

Special Superintendent Responsibilities

The Superintendent shall execute the requirements in Board policy 5:150, *Personnel Records*, whenever another school district requests a reference concerning an applicant who is or was a District employee and was the subject of a report made by a District employee to DCFS.

The Superintendent shall notify the State Superintendent and the appropriate Intermediate Educational Service Center in writing when he or she has reasonable cause to believe that a license holder was dismissed or resigned from the District as a result of an act that made a child an abused or neglected child. The Superintendent must make the report within 30 days of the dismissal or resignation and mail a copy of the notification to the license holder.

Special School Board Member Responsibilities

Each individual Board member must, if an allegation is raised to the member during an open or closed Board meeting that a student is an abused child as defined in the Act, direct or cause the Board to direct the Superintendent or other equivalent school administrator to comply with the Act's requirements concerning the reporting of child abuse.

LEGAL REF.:

105 ILCS 5/10-21.9.

20 ILCS 1305/1-1 et seq., Department of Human Services Act. 325 ILCS 5/, Abused and Neglected Child Reporting Act.

720 ILCS 5/12C-50.1, Criminal Code of 2012.

CROSS REF.: 2:20 (Powers and Duties of the School Board), 5:20 (Workplace Harassment Prohibited), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 5:150 (Personnel Records), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:20 (Harassment of Students Prohibited), 7:150 (Agency and Police Interviews)

Adopted: February 22, 2018

7:12RacialEquityPolicy

Oak Park and River Forest High School (OPRFHS) provides a dynamic, supportive learning environment that cultivates knowledge, skill, and character and strives for equity and excellence for all students. OPRFHS values the racial and ethnic diversity of its students and recognizes that an educational environment in which diversity is respected and valued contributes to successful educational outcomes for all students. OPRFHS also acknowledges that complex societal and historical factors, such as racism, contribute to inequities in our society. Institutional racism, cultural biases, and other societal factors can negatively impact a student's sense of belonging and contribute to inequitable opportunity gaps as well as disparities in achievement and graduation rates between students of different races. OPRFHS aims to combat such concerns and provide all students the support and opportunity they need to succeed. This policy aims to address the systemic barriers to equity and access that disproportionately affect our students of color, who have experienced marginalization as shown through our historical data, and to take into account how race plays out in our daily lives and in our education system.

While this policy primarily and explicitly addresses racial equity, it does so with the declaration that racial inequities are often intertwined with and compounded by disparities tied to other identities and factors. In order to realize equitable opportunities and outcomes for everyone, equity must be applied across, including but not limited to, race, ethnicity, gender, gender identity, gender expression, sexual orientation, socioeconomic status, religion, national origin, foster status, involvement with the juvenile justice system, IEP status, disability, learning difference, immigration status, or language.

Educational equity and equality are not the same principles and should not be used interchangeably. Equality means treating all students the same regardless of differences. Equality can only succeed if all students start with the same needs and challenges. Equity rests on principles of justice and fairness and aims to remove barriers to provide each student the opportunity to benefit equally from the high-quality educational experience and outcomes that OPRFHS offers. OPRFHS recognizes that fostering educational equity may require allocating resources unequally to focus on barriers that may uniquely impact students of diverse backgrounds.

The Board of Education will follow this policy in conducting its business and exercising its responsibilities. The Board of Education believes that student success is broadly shared by District staff, families, our community, and our students' own efforts. Every adult in the school community

should have the moral imperative, collective ownership, and will to act to eliminate racial bias and disparities.

Definitions

For the purposes of this policy, the following terms shall have the following meanings:

“Bias” means prejudice in favor of or against a person or group relative to another, usually in a way considered to be unfair.

“Discrimination” refers to the unequal treatment of a person or group based on a protected characteristic such as race, gender, sex, sexual orientation, disability, or religion.

“District staff” includes all employees, consultants, and contractors of District 200.

“Diversity” or **“Diverse”** means variety in race or ethnicity; a range of races and ethnicities of people, as well as people with different beliefs.

“Ethnicity” is a social construct that divides people into smaller social groups based on characteristics such as shared sense of group membership, values, behavioral patterns, language, political and economic interests, history and ancestral geographical background.

“Implicit Bias” means biases of which people usually are unaware or which operate at the subconscious level. Implicit bias is usually expressed indirectly.

“Institutional Racism” means social policies, practices, procedures, and/or discourse that benefit people who are white at the exclusion of people of color, often unintentionally.

“Opportunity Gap” means the unequal or inequitable distribution of educational resources and opportunities on the basis of race and/or ethnicity; resources may include staffing, academic supports, social and emotional supports, high-quality curriculum, and other programs. This gap can contribute to or intensify lower educational aspirations, achievement, and attainment for members of affected groups.

“Racial Equity” means the systematic fair treatment of people of all races and ethnicities that allows equitable outcomes. Once racial and ethnic inequities are eliminated, race and ethnicity are not factors in outcomes.

“Racism” means the prejudice, discrimination, or antagonism directed against someone of a different race based on the belief that one’s own race is superior.

Implementation, Accountability, and Monitoring

The Board directs the Superintendent to establish, in accordance with this policy, written procedures and other guidance to implement this policy. The written procedures and guidance shall include, but not be limited to, the following areas for action:

- **Accountability and Monitoring.** The administrative procedures shall include methods for accountability and metrics for evaluation of programs and plans therein. The Superintendent shall annually report to the Board and the community on the metrics and measures established to track implementation of this policy.
- **Equity Analysis.** The administrative procedures shall include the use of a racial equity impact assessment tool to help decision makers consider racial equity when assessing policies, procedures, professional development, and other practices and choose options that mitigate the risk of racial inequity, implicit bias, and other unintended consequences. The administrative procedures shall further address professional development regarding the tool and establish a written process to guide use of the tool.
- **Equitable Practices, Procedures, and Programs.** The administrative procedures shall include a process for review of OPRFHS practices, procedures, and programs to consider whether they result in over- or under-representation of any group of students on the basis of race. If such disparity is found, the District will consider revision or elimination of the practice, procedure, or program.
- **Resource Allocation.** The administrative procedures shall afford flexibility to differentiate resource allocation on the basis of student need in an effort to promote and provide equity in education while complying with all requirements of relevant state and federal law.

- Stakeholder and Community Engagement. The administrative procedures shall provide intentional, targeted outreach to community partners and families aimed at creating robust racially and culturally diverse stakeholder engagement, welcoming students and families, and educating stakeholders on services and resources available to them.
- Diverse Workplace Initiatives. The administrative procedures shall include a plan to recruit, employ, support, retain, and develop racially and linguistically diverse and culturally responsive administrative, instructional, and support personnel throughout its divisions and departments. The procedures shall further address a plan to provide leadership and mentoring opportunities to diverse employees, procedures to track and report on diverse teacher retention, and a plan to identify, analyze, and address causes of diverse employee turnover.
- Professional Development. The administrative procedures shall include a plan to provide professional development to strengthen employees' knowledge and skills of strategies for eliminating bias and disparities in student achievement and district hiring practices. The procedures shall further address required professional development regarding strategies to limit and/or mitigate the harm of such disparities; implicit bias in hiring practices; cultural responsiveness; the historical roots of institutional racism; and equitable, inclusive, and anti-oppressive methods.
- Welcoming School Environment. The administrative procedures shall include a plan to offer a welcoming, emotionally supportive, safe, inclusive culture that empowers all students and reflects and supports the diversity of its community, including students, parents, families, faculty, staff, and other community members.
- Discipline Disparities. The administrative procedures shall include a plan to provide alternatives to punitive discipline, including a focus on social-emotional learning and restorative practices. The procedures shall address the goal of keeping our students in the classroom and ensuring that they have equitable access to instruction.
- Culturally Responsive and Relevant Teaching and Learning. The administrative procedures shall include a plan to intentionally seek out and consider diverse perspectives of students, faculty, and staff when developing and implementing teaching and learning practices and curriculum. The procedures shall further address selection of classroom materials, assessments, and teaching that reflect diversity and encourage understanding and appreciation of unique cultures, classes, languages, and ethnicities.
- Equity Leadership and Infrastructure. The administrative procedures shall include a plan for funding and implementing activities to further the goals of this policy, including necessary leadership and infrastructure.
- Racial Incident Protocol. The administrative procedures shall address the District's robust enforcement of Board policies 7:10, *Equal Educational Opportunities*, and 7:20, *Harassment of Students Prohibited*, which prohibit discrimination and harassment on the basis of, among other characteristics, race. The procedures shall further outline the process for students or other members of the District community to file complaints regarding an alleged incident of discrimination, pursuant to Board policies 7:10, 7:20, or 2:260, whichever is applicable.

LEGAL REF:

Title VI of the Civil Rights Act of 1964, 42

U.S.C. § 2000d et seq. Ill. Human Rights Act,

775 ILCS 5/1-103 and 5/2-102.

Saint Francis Coll. v. Al-Khazraji, 481 U.S. 604, 613 (1987).

Ortiz v. Bank of Am., 547 F. Supp. 550, 568 (E.D. Cal. 1982), disapproved of on other grounds by Al-Khazraji v. Saint Francis Coll., 784 F.2d 505 (3d Cir. 1986).

CROSS REF:

2:260, Uniform Grievance

Procedure 7:10, Equal

Educational Opportunities

7:20, Harassment of

Students Prohibited

Adopted: April 25, 2019

7:20 Harassment of Students Prohibited

Bullying, Intimidation, and Harassment Prohibited

No person, including a District employee or agent, or student, shall harass, intimidate, or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable

discharge status from military service; sex; sexual orientation; gender identity; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

Sexual Harassment and Sexual Misconduct Prohibited

Sexual harassment of students is prohibited. Any person, including a district employee or agent, or student, engages in sexual harassment whenever he or she makes sexual advances, requests sexual favors, and/or engages in other verbal or physical conduct, including sexual violence, of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Is sufficiently serious, pervasive, and or persistent and 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;
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. Individuals shall not make unwelcome sexual advances or request sexual favors or engage in any unwelcome conduct of a sexual nature whether explicitly or implicitly and when such conduct has the purpose or effect of substantially interfering with an individual's performance or creating an intimidating, hostile, or offensive environment. Sexual harassment prohibited by this policy includes verbal or physical conduct. The terms intimidating, hostile, or offensive include, but are not limited to, conduct that has the effect of humiliation, embarrassment, or discomfort.

A hostile educational environment is created when conduct by an individual is so severe, pervasive or persistent that it denies or limits an individual's ability to participate in or receive the benefits, services or opportunities of the District's educational programs. In determining whether a hostile environment has been created, the conduct in question will be considered from both a subjective and an objective perspective of a reasonable person in the alleged victim's position, considering all the circumstances.

Consent is a clear and unambiguous agreement, through mutually understandable words or actions, to engage in a particular activity. Consent occurs when someone agrees, gives permission or says "yes" to sexual activity with another person(s).

Consent is always freely given and may not be valid if a person is being subjected to actions or behaviors that elicit emotional, psychological, physical or reputational pressure or threats. Consent is also not valid if it is given under pressure, force, threat, coercion, or without the full and informed consent of all persons involved. Consent may not be given if the person is 1) a minor under certain circumstances that may result in a violation of State or federal law, 2) mentally disabled, 3) mentally incapacitated,

- 4) Physically helpless, 5) under the influence of alcohol or drugs to the point of being unable to make rational decisions, or 6) unconscious or asleep. Consent can be withdrawn at any time. Consent of one sexual activity or past sexual activity does not imply consent to other sexual activities. Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person.

Examples of sexual harassment include touching, crude jokes or pictures, sexting, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a

person's alleged sexual activities. Sexual harassment does not include the: (a) expression of gender or sexual orientation or preference, or (b) consensual, non-disruptive display of affection during non-instructional time. The term *sexual violence* includes a number of different acts. Examples of sexual violence include, but are not limited to, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion, indecent exposure (including mooning), and child pornography.

The term "Sexting" is defined as the practice of sending nude or semi-nude pictures by cell phone or other electronic media, including sending or receiving a sexualized text ('sext') message from a minor. A minor who engages in sexting, or a recipient of a sext message, may be in violation of Illinois law and subject to criminal penalties. "Child pornography" has the meaning set forth in Illinois law and may be found at 720 ILCS 5/11-20.1.

Jurisdiction

This policy applies to students, faculty, staff, or third-parties, regardless of sexual orientation or gender-identity, whenever the misconduct occurs:

- A. On District property; or
- B. Off District property if:
 - 1. The conduct was in connection with a District or District-recognized program or activity; or
 - 2. The conduct may have the effect of creating a hostile environment for a member of the District community. Reporting Procedures

All members of the school community, including students, parents/guardians, school employees, and community members are encouraged to report claims or incidences of bullying, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Principal, Assistant Principal, Dean of Students, a Student Intervention Director, counselors, social workers, a Complaint Manager, or any staff member with whom the student is comfortable speaking. A student may choose to report to a person of the student's same sex.

An allegation that a student was a victim of any prohibited conduct perpetrated by school personnel, including a school vendor or volunteer, shall be processed and reviewed according to policy 5:90, Abused and Neglected Child Reporting, in addition to any response required by this policy.

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

Nondiscrimination Coordinator:

Roxana Sanders, Senior
Director of Human
Resources
OPRFHS, Room 214
201 N. Scoville, Oak
Park, IL 6030
rsanders@oprfs.org
708.434.3214

Complaint Managers:

Janel Bishop
OPRFHS
201 N. Scoville, Oak Park, IL 60302
JBishop@oprfs.org
708.434.3714

Greg Johnson
OPRHS
201 N. Scoville, Oak Park, IL 60302
gjohnson@oprfs.org
708.434.3215

Investigation

The District will follow its Uniform Grievance Procedure investigation process as outlined in 2:260 and as further detail below in investigating student sexual harassment and sexual misconduct complaints pursuant to this policy. The Superintendent, Principal, or designee will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The designated investigator shall ensure both parties have an equal opportunity to present evidence and witnesses during an investigation. If the Complainant is a student under 18 years of age, the designated investigator will notify his or her parent(s)/guardian(s) that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law, this policy, or (2) as necessary to fully investigate

the complaint, or (3) as authorized by the Complainant. The identity of any student witnesses will not be disclosed except: (1) as required by law or any collective bargaining agreement, or (2) as necessary to fully investigate the complaint, or (3) as authorized by the parent/guardian of the student witness, or by the student if the student is 18 years of age or older.

The designated investigator will inform, at regular intervals, the person(s) filing a complaint under this procedure about the status of the investigation. Within 30 school business days of the date the complaint was filed, the designated investigator shall file a written report of his or her findings with the Superintendent. The designated investigator may request an extension of time. If a complaint of unlawful harassment contains allegations involving the Superintendent, the written report shall be filed with the Board, which will make a decision in accordance with the following section of this policy. The Superintendent will keep the Board informed of all complaints.

Interim Measures

During the course of an investigation, the District will remain ever mindful of the victim's well-being and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Students shall not be retaliated against by other students, teachers, administrators, or other school staff for filing a sexual harassment complaint, reporting sexual harassment, or participating in a sexual harassment investigation. The District will also:

- Assist the victim in accessing available community and school supports, such as victim advocacy services, academic support, counseling services, disability, health, or mental health services, and legal advocacy agencies.
- Provide other security and support, which could include the District implementing a no-contact order, changing class schedules (including for the alleged perpetrator(s) pending the outcome of an investigation) or adjustments for assignments or tests; and
- Inform the victim of the right to report a crime to law enforcement simultaneously with filing a complaint pursuant to this policy – and provide the victim with assistance if the victim wishes to do so.

The District may not require a victim to participate in any Title IX investigation or in a disciplinary proceeding against a student.

Because the District is under a continuing obligation to address the issue of sexual discrimination, harassment and misconduct, reports of such incidents (including non-identifying reports) will also prompt the District to consider broader remedial action – such as increased monitoring, supervision, or security at locations where the reported incident occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices.

Decision and Appeal

Within five school business days after receiving the designated investigator's report, the Superintendent shall mail his or her written decision to the Complainant and the accused by first class U.S. mail as well as to the designated investigator. All decisions shall be based upon the preponderance of evidence standard.

Within 10 school business days after receiving the Superintendent's decision, the Complainant or the accused may appeal the decision to the Board by making a written request to the Complaint Manager. The Complaint Manager shall promptly forward all materials relative to the complaint and appeal to the Board. Within 30 school business days, the Board shall affirm, reverse, or amend the Superintendent's decision or direct the Superintendent to gather additional information. Within five school business days of the Board's decision, the Superintendent shall inform the Complainant and the accused of the Board's action.

This procedure shall not be construed to create an independent right to a hearing before the Superintendent or Board. The failure to strictly follow the timelines in this investigation/grievance procedure shall not prejudice any party.

Notice of Policy

The Superintendent shall use reasonable measures to inform staff members and students of this policy by including:

1. For students, age-appropriate information about the contents of this policy in the District's

student handbook(s), on the District's website, and, if applicable, in any other areas where policies, rules, and standards of conduct are otherwise posted in each school.

2. For staff members, this policy in the appropriate employee handbook(s), if applicable, and/or in any other areas where policies, rules, and standards of conduct are otherwise made available to staff.

Investigation Process

Supervisors, Building Principals, or administrators who receive a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. A supervisor or administrator who fails to promptly comply may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain an educational environment that is productive, respectful, and free of unlawful discrimination, including harassment.

The District shall investigate alleged harassment of students when the Nondiscrimination Coordinator or a Complaint Manager becomes aware of an allegation, regardless of whether a written report or complaint is filed.

Alleged Incidents of Sexual Abuse

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*, in addition to any response required by this policy.

Enforcement

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

Responding to Sexual Harassment

In response to the investigation, the District will take any and all appropriate actions to remedy violations of this policy. Any District employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action up to and including discharge. Any District student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the discipline policy. Such actions taken against an employee or student who, after an investigation, is determined to have engaged in conduct prohibited by this policy, shall be instituted in order to prevent the recurrence of any sexual harassment or sexual violence and to remedy the effects of such action on the Complainant or others. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action up to and including discharge, with regard to employees, or up to and including suspension and expulsion, with regard to students.

LEGAL REF.:

20 U.S.C. §1681 *et seq.*, Title IX of the Educational Amendments of 1972. 34 C.F.R. Part 106.

105 ILCS 5/10-20.12, 10-22.5, 5/27-1, and 5/27-23.7.

775 ILCS 5/1-101 *et seq.*, Illinois

Human Rights Act. 23 Ill.Admin.Code

§1.240 and Part 200.

Davis v. Monroe County Bd. of Educ., 526

U.S. 629 (1999). Franklin v. Gwinnett Co.

Public Schs., 503 U.S. 60 (1992).

Gebser v. Lago Vista Independent Sch. Dist., 524 U.S. 274 (1998).

West v. Derby Unified Sch. Dist. No. 260, 206 F.3d 1358 (10th Cir. 2000).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen and Student Dating Violence Prohibited), 7:190 (Student Behavior), 7:240 (Conduct Code for Participants in Extracurricular Activities)

Adopted: February 27, 2020

7:180 Prevention of and Response to Bullying, Intimidation, and Harassment

Bullying, intimidation, and harassment diminish a student's ability to learn and a school's ability to educate. Preventing students from engaging in these disruptive behaviors and providing all students equal access to a safe, non-hostile learning environment are important District goals.

Bullying on the basis of actual or perceived race, color, national origin, military status, unfavorable discharge status from the military service, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, order of protection status, status of being homeless, or actual or potential marital or parental status, including pregnancy, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic is prohibited in each of the following situations:

1. During any school-sponsored education program or activity.
2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities.
3. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.
4. Through the transmission of information from a computer that is accessed at a non-school-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by a school district or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This item (4) Applies only in cases in which a school administrator or teacher receives a report that bullying through this means has occurred and it does not require a district or school to staff or monitor any non-school-related activity, function, or program.

Definitions from 105 ILCS 5/27-23.7.

Bullying includes *cyberbullying* and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing the student or students in reasonable fear of harm to the student's or students' person or property;
2. Causing a substantially detrimental effect on the student's or students' physical or mental health;
3. Substantially interfering with the student's or students' academic performance; or
4. Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Cyberbullying means bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communications. *Cyberbullying* includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of *bullying*. *Cyberbullying* also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of *bullying*.

Restorative measures means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety,

(iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, schools, and communities, and (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school.

School personnel means persons employed by, on contract with, or who volunteer in a school district, including without limitation school and school district administrators, teachers, school guidance counselors, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards.

Bullying Prevention and Response Plan

The Superintendent or designee shall develop and maintain a bullying prevention and response plan that advances the District's goal of providing all students with a safe learning environment free of bullying and harassment. This plan must be consistent with the following requirements:

The District uses the definition of *bullying* as provided in this policy. Staff of the District will be expected to reinforce the plan and the commitment that: (1) the District prohibits bullying, and (2) all students should conduct themselves with a proper regard for the rights and welfare of other students.

1. Bullying is contrary to State law and the policy of this District. However, nothing in the District's bullying prevention and response plan is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the U.S. Constitution or under Section 3 of Article I of the Illinois Constitution.
2. Students are encouraged to immediately report bullying. A report may be made orally or in writing to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any staff member with whom the student is comfortable speaking. Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to the District named officials or any staff member. The District named officials and all staff members are available for help with a bully or to make a report about bullying. Anonymous reports are also accepted.

Nondiscrimination Coordinator:

Roxana Sanders, Senior
Director of Human Resources
OPRFHS, Room 214
201 N. Scoville, Oak Park, IL
60302 rsanders@oprfs.org
708.434.3214

Complaint Managers:

Janel Bishop
OPRFHS
201 N. Scoville, Oak Park, IL 60302
JBishop@oprfs.org
708.434.3714

Greg Johnson
OPRHS
201 N. Scoville, Oak Park, IL 60302
gjohnson@oprfs.org
708.434.3215

Anonymous Reporting call: 708-434-3214

3. Consistent with federal and State laws and rules governing student privacy rights, the Superintendent or designee shall promptly inform parent(s)/guardian(s) of all students involved in an alleged incident of bullying and discuss, as appropriate, the availability of social work services, counseling, school psychological services, other interventions, and restorative measures.
4. The Superintendent or designee shall promptly investigate and address reports of bullying, by, among other things:

- a. Making all reasonable efforts to complete the investigation within 10 school days after the date the report of the incident of bullying was received and taking into consideration additional relevant information received during the course of the investigation about the reported incident of bullying.
- b. Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.
- c. Notifying the Principal or school administrator or designee of the report of the incident of bullying as soon as possible after the report is received.
- d. Consistent with federal and State laws and rules governing student privacy rights, providing parents and guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the principal or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.

The Superintendent or designee shall investigate whether a reported act of bullying is within the permissible scope of the District's jurisdiction and shall require that the District provide the victim with information regarding services that are available within the District and community, such as counseling, support services, and other programs.

5. The Superintendent or designee shall use interventions to address bullying, which may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.
6. A reprisal or retaliation against any person who reports an act of bullying is prohibited. A student's act of reprisal or retaliation will be treated as *bullying* for purposes of determining any consequences or other appropriate remedial actions.
7. A student will not be punished for reporting bullying or supplying information, even if the District's investigation concludes that no bullying occurred. However, knowingly making a false accusation or providing knowingly false information will be treated as *bullying* for purposes of determining any consequences or other appropriate remedial actions.
8. The District's bullying prevention and response plan must be based on the engagement of a range of school stakeholders, including students and parents/guardians.
9. The Superintendent or designee shall post this policy on the District's website, if any, and include it in the student handbook, and, where applicable, post it where other policies, rules, and standards of conduct are currently posted. The policy must be distributed annually to parents/guardians, students, and school personnel (including new employees when hired), and must also be provided periodically throughout the school year to students and faculty.
10. The Superintendent or designee shall assist the Board with its evaluation and assessment of this policy's outcomes and effectiveness. This process shall include, without limitation:
 - a. The frequency of victimization;
 - b. Student, staff, and family observations of safety at a school;
 - c. Identification of areas of a school where bullying occurs;
 - d. The types of bullying utilized; and
 - e. Bystander intervention or participation.

The evaluation process may use relevant data and information that the District already collects for other purposes. The Superintendent or designee must post the information developed as a result of the policy evaluation on the District's website, or if a website is not available, the information must be provided to school administrators, Board members, school personnel, parents/guardians, and students.

11. District staff will be expected to: (1) intervene immediately to stop a bullying incident that they witness or immediately contact building security and/or law enforcement if the incident involves a weapon or other illegal activity, (2) report bullying, whether they witness it or not, to an administrator, and (3) inform the administration of locations on school grounds where additional supervision or monitoring may be needed to prevent bullying. Where appropriate in the staff development program, providing strategies to staff members to effectively prevent bullying and intervene when it occurs. Establishing a process for staff members to fulfill their obligation to report alleged acts of bullying.

LEGAL REF.:

405 ILCS 49/, Children's
Mental Health Act. 105 ILCS
5/10-20.14, 5/24-24, and 5/27-
23.7.

23 Ill.Admin.Code §§1.240 and §1.280.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 4:170 (Safety), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:285 (Food Allergy Management Program), 7:315 (Restrictions on Publications; High Schools)

Adopted: April 26, 2018

7:190 Student Behavior

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

When and Where Conduct Rules Apply

A student is subject to disciplinary action for engaging in *prohibited student conduct*, as described in the section with that name below, whenever the student's conduct is reasonably related to school or school activities, including, but not limited to:

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

Prohibited Student Conduct

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

1. Using, possessing, distributing, purchasing, or selling tobacco or nicotine materials, including without limitation, electronic cigarettes.
2. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence of an alcoholic beverage are not permitted to attend school or school functions and are treated as though they had alcohol in their possession.
3. Using, possessing, distributing, purchasing, selling, or offering for sale:
 - a. Any illegal drug or controlled substance, or cannabis (including marijuana, hashish, and medical cannabis unless the student is authorized to be administered a medical cannabis infused product under *Ashley's Law*).
 - b. Any anabolic steroid unless it is being administered in accordance with a physician's or licensed practitioner's prescription.
 - c. Any performance-enhancing substance on the Illinois High School Association's most current banned substance list unless administered in accordance with a physician's or licensed practitioner's prescription.
 - d. Any prescription drug when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or prescribing physician's or licensed practitioner's instructions. The use or possession of medical cannabis, even by a student for whom medical cannabis has been prescribed, is prohibited

unless the student is authorized to be administered a medical cannabis infused product under *Ashley's Law*.

- e. Any inhalant, regardless of whether it contains an illegal drug or controlled substance: (a) that a student believes is, or represents to be capable of, causing intoxication, hallucination, excitement, or dulling of the brain or nervous system; or (b) about which the student engaged in behavior that would lead a reasonable person to believe that the student intended the inhalant to cause intoxication, hallucination, excitement, or dulling of the brain or nervous system. The prohibition in this section does not apply to a student's use of asthma or other legally prescribed inhalant medications.
- f. Any substance inhaled, injected, smoked, consumed, or otherwise ingested or absorbed with the intention of causing a physiological or psychological change in the body, including without limitation, pure caffeine in tablet or powdered form.
- g. *Look-alike* or counterfeit drugs, including a substance that is not prohibited by this policy, but one: (a) that a student believes to be, or represents to be, an illegal drug, controlled substance, or other substance that is prohibited by this policy; or (b) about which a student engaged in behavior that would lead a reasonable person to believe that the student expressly or impliedly represented to be an illegal drug, controlled substance, or other substance that is prohibited by this policy.
- h. Drug paraphernalia, including devices that are or can be used to: (a) ingest, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances.

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

4. Using, possessing, controlling, or transferring a *weapon* as that term is defined in the Weapons section of this policy, or violating the Weapons section of this policy.
5. Using or possessing an electronic paging device. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules. Prohibited conduct specifically includes, without limitation, creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device, or cellular phone. Unless otherwise banned under this policy or by the Principal, all electronic devices must be kept powered-off and out-of-sight during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student's individualized education program (IEP); (c) it is used during the student's lunch period, (d) it is used in the hallways, or (e) it is needed in an emergency that threatens the safety of students, staff, or other individuals.
6. Using or possessing a laser pointer unless under a staff member's direct supervision and in the context of instruction.
7. Disobeying rules of student conduct or directives from staff members or school officials. Examples of disobeying staff directives include refusing a District staff member's request to stop, present school identification, or submit to a search.
8. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, altering report cards, and wrongfully obtaining test copies or scores.
9. Engaging in hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to a staff person or another student, or urging other students to engage in such conduct. Prohibited conduct specifically includes, without limitation, any use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing, bullying, bullying using a school computer or a school computer network, or other comparable conduct.
10. Engaging in any sexual activity, including without limitation, offensive touching, sexual harassment, indecent exposure (including mooning), and sexual assault. This does not include the non-disruptive: (a) expression of gender or sexual orientation or preference, or (b) display of affection during non-instructional time.
11. Teen dating violence, as described in Board policy 7:185, *Teen Dating Violence Prohibited*.

12. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.
13. Entering school property or a school facility without proper authorization.
14. In the absence of a reasonable belief that an emergency exists, calling emergency responders (such as calling 911); signaling or setting off alarms or signals indicating the presence of an emergency; or indicating the presence of a bomb or explosive device on school grounds, school bus, or at any school activity.
15. Being absent without a recognized excuse; State law and School Board policy regarding truancy control will be used with chronic and habitual truants.
16. Being involved with any public school fraternity, sorority, or secret society, by: (a) being a member; (b) promising to join; (c) pledging to become a member; or (d) soliciting any other person to join, promise to join, or be pledged to become a member.
17. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia.
18. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, vandalism, and hazing.
19. Making an explicit threat on an Internet website against a school employee, a student, or any school-related personnel if the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school.
20. Operating an unmanned aircraft system (UAS) or drone for any purpose on school grounds or at any school event unless granted permission by the Superintendent or designee.
21. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.

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

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

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

Disciplinary Measures

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

1. Notifying parent(s)/guardian(s).
2. Disciplinary conference.
3. Withholding of privileges.
4. Temporary removal from the classroom.
5. Return of property or restitution for lost, stolen, or damaged property.
6. In-school suspension. The Principal or designee shall ensure that the student is properly supervised.
7. After-school study or Saturday study provided the student's parent/guardian has been notified. If

transportation arrangements cannot be agreed upon, an alternative disciplinary measure must be used. The student must be supervised by the detaining teacher or the Principal or designee.

8. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs. The District will not provide transportation. School administration shall use this option only as an alternative to another disciplinary measure, giving the student and/or parent/guardian the choice.
9. Seizure of contraband; confiscation and temporary retention of personal property that was used to violate this policy or school disciplinary rules.
10. Suspension of bus riding privileges in accordance with Board policy 7:220, *Bus Conduct*.
11. Out-of-school suspension from school and all school activities in accordance with Board policy 7:200, *Suspension Procedures*. A student who has been suspended may also be restricted from being on school grounds and at school activities.
12. Expulsion from school and all school activities for a definite time period not to exceed two calendar years in accordance with Board policy 7:210, *Expulsion Procedures*. A student who has been expelled may also be restricted from being on school grounds and at school activities.
13. Transfer to an alternative program if the student is expelled or otherwise qualifies for the transfer under State law. The transfer shall be in the manner provided in Article 13A or 13B of the School Code.
14. Notifying juvenile authorities or other law enforcement whenever the conduct involves criminal activity, including but not limited to, illegal drugs (controlled substances), *look-alikes*, alcohol, or weapons or in other circumstances as authorized by the reciprocal reporting agreement between the District and local law enforcement agencies.

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

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

Weapons

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

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

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

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

Re-Engagement of Returning Students

The Superintendent or designee shall maintain a process to facilitate the re-engagement of students who are returning from an out-of-school suspension, expulsion, or an alternative school setting. The

goal of re-engagement shall be to support the student's ability to be successful in school following a period of exclusionary discipline and shall include the opportunity for students who have been suspended to complete or make up work for equivalent academic credit.

Required Notices

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

Delegation of Authority

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

The Superintendent, Principal, Assistant Principal, or Dean of Students is authorized to impose the same disciplinary measures as teachers and may suspend students guilty of gross disobedience or misconduct from school (including all school functions) and from riding the school bus, up to 10 consecutive school days, provided the appropriate procedures are followed. The Board may suspend a student from riding the bus in excess of 10 school days for safety reasons.

Student Handbook

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

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

LEGAL REF.:

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

20 U.S.C. §7961 *et seq.*, Gun Free Schools Act.

105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.36, 5/10-21.7, 5/10-21.10, 5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/22-33,

5/24-24, 5/26-12, 5/27-23.7, 5/31-3, and 110/3.10.

410 ILCS 130/, Compassionate Use of Medical Cannabis Pilot Program. 410 ILCS 647/, Powdered Caffeine Control and Education Act.

430 ILCS 66/, Firearm

Concealed Carry Act. 23

Ill.Admin.Code §1.280.

CROSS REF.: 2:150 (Committees), 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 7:70 (Attendance and Truancy), 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:160 (Student Appearance), 7:170 (Vandalism), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:270 (Administering Medicines to

7:200 Suspension Procedures

In-School Suspension

The Superintendent or designee is authorized to maintain an in school suspension program for certain infractions of the Code of Conduct. In school suspensions can be assigned for a full school day or for a partial school day and shall not exceed 5 school days. The program shall include, at a minimum, each of the following:

1. Before assigning a student to in school suspension, the Student Intervention Director will explain the charges and the student will be given an opportunity to respond to the charges.
2. The Principal or designee shall ensure that the students are supervised by licensed school personnel.
3. Students are given the opportunity and expected to complete classroom work during the in school suspension for equivalent academic credit.
4. All students who are assigned a full day of in school suspension will receive additional interventions and supports if needed to change behavior.

Out-of-School Suspension

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

1. A conference during which the charges will be explained and the student will be given an opportunity to respond to the charges before he or she may be suspended.
2. A pre-suspension conference is not required, and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
3. An attempted phone call to the student's parent(s)/guardian(s).
4. A written notice of the suspension to the parent(s)/guardian(s) and the student, which shall:
 - a. Provide notice to the parent(s)/guardian(s) of their child's right to a review of the suspension;
 - b. Include information about an opportunity to make up work missed during the suspension for equivalent academic credit;
 - c. Detail the specific act of gross disobedience or misconduct resulting in the decision to suspend;
 - d. Provide rationale or an explanation of how the chosen number of suspension days will address the threat or disruption posed by the student or his or her act of gross disobedience or misconduct; and
 - e. Depending upon the length of the out-of-school suspension, include the following applicable information:
 - i. For a suspension of 3 school days or less, an explanation that the student's continuing presence in school would either pose:
 - a) A threat to school safety, or
 - b) A disruption to other students' learning opportunities.
 - ii. For a suspension of 4 or more school days, an explanation:
 - a) That other appropriate and available behavioral and disciplinary interventions have been exhausted,
 - b) As to whether school officials attempted other interventions or determined that no other interventions were available for the student, and
 - c) That the student's continuing presence in school would either:
 - i) Pose a threat to the safety of other students, staff, or members of the school community, or
 - ii) Substantially disrupt, impede, or interfere with the operation of the school.
 - iii. For a suspension of 5 or more school days, the information listed in section 4.e.ii., above, along with documentation by the Superintendent or designee determining what, if any, appropriate and available support services will be provided to the student during the length of his or her suspension.
5. A summary of the notice, including the reason for the suspension and the suspension length, must be given to the Board by the Superintendent or designee.
6. Upon request of the parent(s)/guardian(s), a review of the suspension shall be conducted by the Board or a hearing officer appointed by the Board. At the review, the student's

parent(s)/guardian(s) may appear and discuss the suspension with the

7. Board or its hearing officer and may be represented by counsel. Whenever there is evidence that mental illness may be the cause for the suspension, the Superintendent or designee shall invite a representative from the Department of Human Services to consult with the Board. After presentation of the evidence or receipt of the hearing officer's report, the Board shall take such action as it finds appropriate. If the suspension is upheld, the Board's written suspension decision shall specifically detail items (a) and (e) in number 4, above.

LEGAL REF.: 105 ILCS 5/10-22.6.

Goss v. Lopez, 95 S.Ct. 729 (1975).

Sieck v. Oak Park River-Forest High School, 807 F.Supp. 73 (N.D. Ill., E.D., 1992).

CROSS REF.: 5:100 (Staff Development), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:220 (Bus Conduct)

ADOPTED: August 25, 2016

7:210 Expulsion Procedures

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

1. Before a student may be expelled, the student and his or her parent(s)/guardian(s) shall be provided a written request to appear at a hearing to determine whether the student should be expelled. The request shall be sent by registered or certified mail, return receipt requested. The request shall:
 - a. Include the time, date, and place for the hearing.
 - b. Briefly describe what will happen during the hearing.
 - c. Detail the specific act of gross disobedience or misconduct resulting in the decision to recommend expulsion.
 - d. List the student's prior suspension(s).
 - e. State that the School Code allows the Board of Education to expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case-by-case basis.
 - f. Ask that the student or parent(s)/guardian(s) or attorney inform the Superintendent or Board Attorney if the student will be represented by an attorney and, if so, the attorney's name and contact information.
2. Unless the student and parent(s)/guardian(s) indicate that they do not want a hearing or fail to appear at the designated time and place, the hearing will proceed. It shall be conducted by the Board or a hearing officer appointed by it. If a hearing officer is appointed, 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. Whenever there is evidence that mental illness may be the cause for the recommended expulsion, the Superintendent or designee shall invite a representative from the Dept. of Human Services to consult with the Board.
3. During the expulsion hearing, the Board or hearing officer shall hear evidence concerning whether the student is guilty of the gross disobedience or misconduct as charged. School officials must provide: (1) testimony of any other interventions attempted and exhausted or of their determination that no other appropriate and available interventions were available for the student, and (2) evidence of the threat or disruption posed by the student. The student and his or her parent(s)/guardian(s) may be represented by counsel, offer evidence, present witnesses, cross-examine witnesses who testified, and otherwise present reasons why the student should not be expelled. 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.
4. If the Board acts to expel the student, its written expulsion decision shall:
 - a. Detail the specific reason why removing the student from his or her learning environment is in the best interest of the school.
 - b. Provide a rationale for the specific duration of the recommended expulsion.
 - c. Document how school officials determined that all behavioral and disciplinary interventions have been exhausted by specifying which interventions were attempted or whether school officials determined that no other appropriate and available interventions existed for the student.
 - d. Document how the student's continuing presence in school would (1) pose a threat to the

safety of other students, staff, or members of the school community, or (2) substantially disrupt, impede, or interfere with the operation of the school.

5. Upon expulsion, the District may refer the student to appropriate and available support services.

LEGAL REF.: 105 ILCS 5/10-22.6(a).

Goss v. Lopez, 95 S.Ct. 729 (1975).

CROSS REF.: 5:100 (Staff Development), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:200 (Suspension Procedures), 7:230 (Misconduct by Students with Disabilities)

ADOPTED: May 26, 2016