

September 9, 2022

Meredith Kolodner
MuckRock News
Boston, MA 02115

VIA EMAIL – 132898-54884774@requests.muckrock.com

Re: FOIA Request 22-49 received 8/24/2022

Subject: Data regarding the number of student expulsions held in abeyance (or any other term used to describe student expulsions which have been temporarily suspended contingent on student compliance with a behavior contract, alternative school or program, etc.) in CUSD 308 for each school year between 2016-2021, including raw total, raw data by race (white, Black or African American, Hispanic or Latino, Asian, Native Hawaiian/other Pacific Islander, American Indian/Alaska Native, two or more races) raw data by gender (male, female, other), raw data for students with an IEP/non-IEP, raw data for students by grade in school (pre-K-12), and raw data for students placed in an alternative educational program or otherwise had a change in school placement.

Copies of any policies or standard agreements for expulsions held in abeyance contingent on placement in an alternative educational program, or any other similar term or practice.

Dear Ms. Kolodner:

This letter will serve as Oswego Community Unit School District 308's response to your 8/24/2022 request under the Freedom of Information Act (5 ILCS 140/1 et seq.), in which you asked for the above referenced information. Attached please find the information you requested.

To promote district transparency and assist others who may have a similar question, go to www.sd308.org and select *Our District > Freedom of Information Act Request > FOIA Request Responses>FOIA Requests Responses -2022 for information on previous requests.*

Please let me know if you have additional questions. Thank you.

John Petzke

John Petzke
Assistant Superintendent of Operations/
Freedom of Information Officer

Date Printed:
08/08/22
15:44

CENTRAL OFFICE
Profile Data Report

OSCO-2122

Page 1

Following options and Selections were used for this report :

Discipline

Run On : 9/8/2022 3:44:45 PM

Report Type : Action Code Total

Sort : Descending By Action Code

Selected records must have 1-9999 record (s) of Action Code Total

Action Code : 30 , 31 , 34 , 35 , 36

1	MALE	Grade 6	Multi Racial	TRANSFER to Alternate Program	NO IEP
2	Male	Grade 8	Hispanic	"	NO IEP

Date Printed:
06/06/22
15:44

CENTRAL OFFICE
Profile Data Report

OSCO-2122
Page 2

Action Grade: 06 Male

34 Transfer to Alternative Program

	Occurrences:	Students	
		% W/1+ Days	W/Todays
	1- 50%	1- 0%	1- 0%
Multi Racial - %T / %M	1- 50%/ 50%	1- 0%/ 0%	1- 0%/ 0%

Name	ID	Gr G Counselor	Advisory	Enroll	Wthdrn
		06 M		01/26/22	

Date Printed:
02/02/22
15:44

CENTRAL OFFICE
Profile Data Report

OSCO-2122
Page 5

Action Grade: 08 Male

34 Transfer to Alternative Program

		Students			
		Occurrences:	% W/1+ Days	W/Todays	
		2- 50%	2- 0%	2- 0%	
Hispanic - %T / %H		2- 50%/ 50%	2- 0%/ 0%	2- 0%/ 0%	
Name	ID	Gr G Counselor	Advisory	Enroll	Wthdrn
		08 M		02/28/22	
		08 M		04/11/22	

Date Printed:
09/08/22
15:51

CENTRAL OFFICE
Profile Data Report

OSCO-2021
Page 1

Following options and Selections were used for this report :

Discipline

Run On : 9/8/2022 3:51:53 PM

Report Type : Action Code Total

Sort : Descending By Action Code

Selected records must have 1-9999 record (s) of Action Code Total

Action Code : 30 , 31 , 34 , 35 , 36

1	FEMALE	Grade 10	White	TRANSFER TO Alternative Program	IEP
1	Male	Grade 11	Hispanic	Unilateral Removal to Inter. Alt	IEP

Total 2

Date Printed:
02/02/21
15:51

CENTRAL OFFICE
Profile Data Report

OSCO-2021
Page 2

Action Grade: 10 Female

34 Transfer to Alternative Program

Name	ID	Gr	G	Counselor	Advisory	Enroll	Wthdrn
		10	F			02/18/21	

	Occurrences:	% W/1+ Days	Students	W/Todays
	1- 50%	1- 0%	1- 0%	1- 0%
White - %T / %W	1- 50% / 50%	1- 0% / 0%	1- 0% / 0%	1- 0% / 0%

Date Printed:
06/08/22
15:51

CENTRAL OFFICE
Profile Data Report

OSCO-2021
Page 5

Action Grade: 11 Male

35 Unilateral Removal to Interim Alt Ed

		Students			
		Occurrences:	% W/1+ Days	W/Todays	
		1-100%	1- 0%	1- 0%	1- 0%
Hispanic - %T / %H		1-100%/100%	1- 0%/ 0%	1- 0%/ 0%	1- 0%/ 0%
Name	ID	Gr G Counselor	Advisory	Enroll	Wthdrn
		11 M		05/05/21	

Date Printed:
08/08/22
15:57

CENTRAL OFFICE
Profile Data Report

OSCO-1920

Page 1

Following options and Selections were used for this report :

Discipline

Run On : 9/8/2022 3:57:36 PM

Report Type : Action Code Total

Sort : Descending By Action Code

Selected records must have 1-9999 record (s) of Action Code Total

Action Code : 30 , 31 , 34 , 35 , 36

1 Male Grade 6 Black/AFRICAN AMERICAN Expulsion NOIEP

1 Male Grade 11 Black/AFRICAN AMERICAN TRANSFER TO ALTERNATIVE IEP

1 FEMALE Grade 12 White Removal to Ht Ed NOIEP

Total 3

Date Printed:
02/02/20
15:57

CENTRAL OFFICE
Profile Data Report

OSCO-1920
Page 3

Action Grade: 06 Male

30 Expulsion - Received Ed Services

		Students	
		Occurrences:	% W/1+ Days W/Todays
		1- 50%	1- 0% 1- 0%
Black or African American - %T / %B		1- 50%/ 50%	1- 0%/ 0% 1- 0%/ 0%

Name	ID	Gr G Counselor	Advisory	Enroll	Wthdrn
		06 M		01/21/20	

Date Printed:
02/22/20
15:57

CENTRAL OFFICE
Profile Data Report

OSCO-1920
Page 5

Action Grade: 11 Male

34 Transfer to Alternative Program

		Students		
		Occurrences:	% W/1+ Days	W/Todays
		2-100%	1- 0%	1- 0%
Black or African American - %T / %B		2-100%/100%	1- 0%/ 0%	1- 0%/ 0%

Name	ID	Gr G Counselor	Advisory	Enroll	Wthdrn
		11 M		01/16/20	

Date Printed:
08/08/20
15:57

CENTRAL OFFICE
Profile Data Report

OSCO-1920
Page 7

Action Grade: 12 Female

36 Removal to Interim Alt Ed BOE Hearing

	Occurrences:	Students	
		% W/1+ Days	W/Todays
	1- 50%	1- 0%	1- 0%
White - %T / %W	1- 50%/ 50%	1- 0%/ 0%	1- 0%/ 0%

Name	ID	Gr G Counselor	Advisory	Enroll	Wthdrn
		12 F		05/21/20	

SY 2019 - SY 2016 eSchool

Grade	Student Id	Has IEP	Student Gender	Ethnic Name	School Year - Incident	Incident Code	Incident Name	Incident Date	Action Code - Offender
08		N	M	Black/African American	2019	D27	Electronic Threat	10/11/2018	EXP1

SY 2019

1 Male Grade 08 Black/African American Expulsion No IEP

StudentsAlternative Placement Procedures

To place a child in an alternative placement under Article 13A of the Illinois School Code, the District will either (1) obtain the written agreement of the parent(s)/guardian(s) or (2) implement the following procedures:

1. Before a student is given an alternative placement, the student and parent(s)/guardian(s) shall be provided a written request to appear at a hearing to determine whether the student should be transferred to an alternative placement. The request shall be sent by a registered or certified mail, return receipt requested. The request shall:
 - a. Detail the specific facts resulting in the decision to recommend transfer to an alternative placement.
 - b. Include the time, date, and place for the hearing.
 - c. Briefly describe what will happen during the hearing.
 - d. State that the School Code allows the Board to expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case-by-case basis.
 - e. Ask that the student or parent(s)/guardian(s) inform the Superintendent or designee or Board Attorney if the student will be represented by an attorney and, if so, the attorney's name and contact information.
2. If a hearing officer is appointed, they shall report to the Board the evidence presented at the hearing and the Board shall take such final action as it finds appropriate. 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. The hearing shall be conducted by the School Board or a hearing officer appointed by it. Whenever there is evidence that mental illness may be the cause for the recommended expulsion or alternative placement in lieu of expulsion, the Superintendent or designee shall invite a representative from a local mental health agency to consult with the Board.
3. During the alternative placement hearing, the Board or hearing officer shall hear evidence concerning whether the student is guilty of gross disobedience or misconduct and subject to suspension or expulsion. School officials must provide:
 - a. Testimony of any other interventions attempted and exhausted or off their determination that no other appropriate and available interventions were available for the student, and
 - b. Evidence of the threat or disruption posed by the student.

The student and 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 placed in an alternative placement. 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 transfer the student to an alternative placement, its written 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 transfer;
 - 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; and
 - 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 transfer, all other requirements of Article 13A shall be met.
6. Upon transfer, the District may refer the student to appropriate and available support services.
7. Upon transfer, the student shall be prohibited from attendance at school and all school activities and shall not be present on school grounds unless the principal authorizes such presence.

LEGAL REF: Goss v. Lopez, 95 S. Ct. 729 (1975).
105 ILCS 5/10-22/6(a); 105 ILCS 5/13A-1 et seq.

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