



# **STUDENT RIGHTS AND RESPONSIBILITIES CODE**

**2023-2024**

***OSWEGO COMMUNITY UNIT SCHOOL DISTRICT 308  
STUDENT RIGHTS AND RESPONSIBILITIES CODE  
2023-2024***

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The Student Rights and Responsibilities Code is not intended to create contractual or other rights between the student and the district, but merely to serve as a guide. The contents of this Code may be amended at any time during the year without notice, and with the most current versions of the Code, as well as all School Board policies, are available to the community on the District website at [www.sd308.org](http://www.sd308.org).

Parents/Guardians may request a printed copy of the Rights and Responsibilities Code from the District's Student Services Department, under the direction of the Executive Director of District Student Services, located at the District Administration Center, 4175 Route 71, Oswego, Illinois 60543. School Board policies are available on the district website.

## ***I. INTRODUCTION***

Per [Board Policy 7:10](#), *Equal Educational Opportunities*, the Student Rights and Responsibilities Code is developed by Oswego Community School District 308 stakeholders and approved by the Oswego Community School District 308 Board of Education annually. We ask parents / guardians to review this document and discuss it with their children. Each child in grades 6-12 and a parent/guardian of each enrolled student is required to sign an electronic “signature of receipt” of the Rights and Responsibilities code at the start of each school year, or upon registration in the district.

At all grade levels, Oswego Community School District 308 seeks to create a learning climate that is responsive, inclusive, and equitable for each and every student. Within the school setting, students are encouraged to be active participants and decision makers in their own learning. We continually work to design meaningful learning experiences that result in positive outcomes. The health, safety and rights of each student are protected along with the rights of all students and staff. Per [BOE Policy 5:120](#), all Oswego Community School District 308 employees are expected to maintain high

standards in their school relationships. This includes protecting the welfare, safety, and security of all students. Oswego Community School District 308 staff are obligated mandated reporters and must participate in all Illinois State Board of Education (ISBE) mandatory training categories.

For the purposes of this document, *Policy* is defined as a course or principle of action proposed and set by the Oswego School District 308 Board of Education; *Procedure* is defined as an established or official way of doing things; and *Practice* is defined as the actual application of an expected procedure.

The climate for learning that we collaboratively work to create and maintain includes a/the:

- physically safe place to learn
- learning environment where all students are encouraged to take intellectual risks
- supportive culture where student and staff differences are respected, recognized, and utilized in classrooms
- technology supports that enhance student learning
- Utilization of student voice as a valuable tool in creating an inclusive school community

## **II. RIGHTS AND RESPONSIBILITIES**

**A. Student Rights** - The Oswego Community School District 308 educational system exists for the welfare of its students and to provide each student opportunities per [Board Policy 7:10, Equal Educational Opportunities](#). The identification and preservation of the rights and responsibilities of district students must be a primary concern of all stakeholders in the district. The quality and results of educational experiences are measured, in large part, by the extent to which students fulfill their responsibilities and exercise their rights in a reasonable manner. School is a unique public institution, existing in the context of larger entities whose tenets must also apply including: the constitutions of the United States and the State of Illinois, federal laws, the School Code of Illinois and decisions of state and federal courts. Each student has the RIGHT to:

1. Freedom of speech and press, freedom of assembly and freedom to petition in a manner that does not materially or substantially disrupt or interfere with the educational process and that is consistent with the law and district policy;
2. Participate in appropriate educational programs at all grade levels;
3. Be free from discrimination based upon race, color, national origin, gender, sexual orientation, ancestry, age, religious beliefs, physical or mental disability, status as homeless, or actual or potential marital or parental status, including pregnancy; and
4. Study in an educational environment free from bias, prejudice and interference.

**B. Student Responsibilities** - Diverse cultures, lifestyles, and beliefs are represented in the student body and faculty/staff and are a valuable educational resource. Individual respect for one's own uniqueness, as well as respect for the individuality and worth of others, should be emphasized in all aspects of the school program.

Students have the responsibility to conduct themselves on and off campus in ways that are conducive to the learning process and to behave in a manner that does not disrupt or interfere with the learning environment or the daily operations of the school. Furthermore, each student has the RESPONSIBILITY to:

1. Observe the rights of others
2. Communicate any threat or safety concern to school officials, staff, or a trusted adult
3. Know the rules of the district and abide by them
4. Make a sincere effort to utilize the learning resources provided
5. Respect personal property of others and property of the district
6. Demonstrate respect and acceptance for oneself and for others' uniqueness and worth, regardless of differences
7. Respect the reasonable exercise of authority by school administrators and teachers in maintaining safe environments and discipline in the school and at school-sponsored activities
8. Refrain from libel, slanderous remarks, and obscenity in verbal and written expression, and any form of electronic communication
9. Refrain from gross disobedience or misconduct, or behavior that materially and substantially interferes with the educational process

**C. Enforcement of Behavior Code** - The policies in the Student Rights and Responsibilities Code apply whenever the student's conduct is reasonably related to school or school activities, including, but not limited to:

1. Anytime when on or within sight of school grounds

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
4. Anywhere, on or off campus, if the conduct interferes with, or may foreseeably interfere with, disrupt, or adversely affect, 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.

The discipline of special education students shall be in accordance with the requirements of the Individuals with Disabilities Education Improvement Act, 20 U.S.C.S. 1400 et. seq., and [Board Policy 7:230](#).

**D. School Resource Officers** - In an effort to ensure a safe and orderly school environment, Oswego Community School District 308 and local law enforcement agencies maintain the position of School Resource Officer. Resource officers may be present at Oswego Community School District 308 schools to assist administration in school safety training, maintaining a safe and orderly environment, and/or to address criminal infractions. In addition to a School Resource Officer, some schools may have employees assisting with campus security tasks to help keep schools orderly, safe and secure.

#### **E. Search and Seizure**

1. **Student's Personal Property** - Per [Board Policy 7:140](#), *Search and Seizure*, when there are reasonable grounds to suspect that the search will produce evidence a student has violated or is violating the law or rules of the school, school administrators and school resource officers may search a student and/or the student's personal property including but not limited to: purse, wallet, backpack, book bag, drawstring book bag, lunch box, cell phone or other electronic device. The search itself must be conducted in a manner that is reasonably related to the objectives of the search and not be excessively intrusive in light of the age and gender of the student and the nature of the infraction. When feasible, the search should be conducted as follows:

- Outside the view of others, including students
- In the presence of a school administrator or adult witness
- By an administrator or school resource officer of the same gender.

2. **School Property** - School property, including but not limited to desks, lockers and parking lots, is owned and controlled by the district, and the district may make reasonable regulations regarding its use. School authorities are authorized to conduct area-wide, general administrative inspections of school property (searches of all student lockers, desks or parking lots) as a means of protecting the health, safety or welfare of the district, its employees and students, without notice to, or consent of, the student and without a search warrant. School authorities may search a student's personal property left behind on school property when there are reasonable grounds to suspect that the search will produce evidence that the student has violated either the law or the district's rules.

3. School administrators and / or school liaison police officers may search a student vehicle while on school grounds or in an area reserved for school parking, when there are reasonable grounds for suspecting that the search will produce evidence that the student has violated or is violating the law or the District's student conduct rules. The scope of the search shall be reasonably related to its objectives. Whenever possible, the student shall be notified of the search and shall be present during the search of the student's vehicle. School personnel may seize any item that was the subject of the search as well as any item in plain view, if the item violates either the law or student conduct rules or is evidence of such. If a student refuses to cooperate and permit their vehicle to be searched, school officials may contact law enforcement personnel to enter the vehicle. A failure by a student to cooperate may be grounds for discipline.

4. **Seizure of Property** - If a search conducted in accordance with this policy produces evidence a student has violated, or is violating, the law or the district's rules, such evidence may be seized and impounded by school authorities and disciplinary actions may be taken. When appropriate, such evidence will be transferred to law enforcement authorities.

5. **Social Media** - School authorities may conduct an investigation or require a student to cooperate in an investigation if there is specific information about activity on a student's social networking account that violates the District's disciplinary rule or policy. School authorities may require a student to share the reported content from the student's account as part of the investigation in order to make a factual determination, but may not request or require a student or their parent/guardian provide a student's password or other related account information to gain access to the student's account or profile on a social networking website or application.

### **III. RECORDS**

**A. Family Educational Rights and Privacy Act and the Illinois School Student Records Act** -The [Family Educational Rights and Privacy Act](#) (FERPA) and the [Illinois School Student Records Act](#) (ISSRA) afford students certain rights with respect to their education records. Important student records information is also contained in [Board Policy 7:340](#), *Student Records*, and [Board Policy 7:15](#), *Student and Family Privacy Rights*. The rights afforded to students with respect to their educational records include:

1. The right to inspect and review the student's education records within 10 business days or 45 calendar days after the day the district receives a request for access. A parent/guardian or eligible student should submit to the records custodian, principal or other appropriate official, a written request that identifies the record(s) they wish to inspect. The district official will make arrangements for access and notify the parent/guardian or eligible student of the time and place where record(s) may be inspected. If the record is not maintained by the district official to whom the request was submitted, that official shall advise the parent/guardian or eligible student of the correct official to whom the request should be directed. The District charges 35 cents per page for copies. This fee will be waived for those unable to afford such costs.

2. The right to challenge student education records, exclusive of grades and references to either expulsions or out-of-school suspensions (if the challenge is made at the time the student's school records are forwarded to another school to which the student is transferring), and/or request an amendment of the student's education records, which the parent/guardian or eligible student believes are inaccurate not relevant, or misleading. The individual should write to the district official responsible for the record, and clearly identify the part of the record to which a change is being requested and specify why it is inaccurate, not relevant or misleading. An informal conference will be held with the parent/guardian or eligible student within 15 school days of receipt of the request. If the challenge is not resolved by the informal conference, the district will advise the parent/guardian or eligible student of their right to a hearing regarding the request for amendment, and initiate formal hearing procedures. Additional information regarding the hearing procedures will be provided to the parent/guardian or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the eligible student's education records, except to the extent that FERPA and ISSRA authorize disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials or consultants with legitimate educational interests. A school official or consultant is a person employed by the district in an administrative, supervisory, academic or support staff position (including law enforcement personnel and health staff) or a person or company with whom the district has contracted (such as an attorney, auditor or collection agent). A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibilities. Upon request, the district discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-4605

**PLEASE NOTE:** Directory information may be disclosed without prior notice or consent unless the parent/guardian or eligible student notifies the Building Records Custodian in writing, before October 1st of the current school year, that they do not want any or all of the directory information disclosed. Directory information is limited to:

1. Student's name
2. Student's address
3. Student's grade level
4. Student's date of birth
5. Parent(s)/guardian(s)' names, addresses, electronic mail addresses, and telephone numbers
6. Photographs, videos, or digital images used for informational or news-related purposes (whether by a media outlet or by the school) of a student participating in school or school-sponsored activities, organizations, and athletics that have appeared in school publications, such as yearbooks, newspapers, or sporting or fine arts programs
7. Academic awards, degrees, and honors
8. Information in relation to school-sponsored activities, organizations, and athletics

No photograph highlighting individual faces shall be used for commercial purposes, including solicitation, advertising, promotion, or fundraising, without the prior, specific, dated, and written consent of the parent or eligible student (see 765 ILCS 1075/30). 23 Ill.Admin.Code §375.80. The following shall not be designated as directory information: (a) an image on a school security video, or (b) student social security number or student identification or unique student identifier.

**Video Surveillance/Notification:** To assist in maintaining security and to deter inappropriate conduct, the Oswego Community School District 308 may position video cameras and/or monitors in public areas of school property, such as in the hallways, stairwells, the gymnasium, cafeteria, school buses and exterior locations of school buildings. Appropriate

disciplinary action may be taken for misconduct which is recorded or observed from the camera.

Additionally, video surveillance footage and or other video recording footage maintained by the school district for the purpose of school district safety and security is not considered part of a student's educational record and as such is not subject to compliance with FERPA and / or ISSRA regulations. Viewing of video surveillance footage not used to provide specific student disciplinary action will not be allowed. Should video surveillance footage be used as evidence for the purposes of specific student disciplinary action, such footage may be subject to compliance with FERPA and ISSRA and will be maintained as part of the individual student record.

**B. Military Recruiting** - The Elementary and Secondary Education Act requires every district that serves high school students to provide military recruiters upon their request: students' names, addresses, e-mail addresses and telephone numbers, unless a parent/guardian (or student age 18 or older) has declined to have this information released without prior written consent. Parents/Guardians of high school students (and students age 18 or older) who do not want the students' name/address/telephone number disclosed to military recruiters without their prior written consent shall make this request in writing to the Building Principal of their student's high school of attendance, or contact the Executive Director of Student Services for assistance.

#### ***IV. AUTHORIZATION FOR ELECTRONIC NETWORK ACCESS***

**A. Parents'/Guardians' Responsibility** - Parents/Guardians should review this content and the content of [Board Policy 6:235, Access to Electronic Networks](#), with their student. Parents/Guardians may request alternative activities be provided that do not require Internet access if there is an objection to Internet use.

Outside of school, and during eLearning, parents/guardians bear responsibility for the same guidance and supervision of Internet use they exercise with other information sources and other possibly offensive media. Parents/Guardians are responsible for monitoring their student's use of the District's educational technologies, the District's Computer Network System, and the Internet if the student is accessing the district's electronic technologies from home or through other remote locations. Parents/Guardians bear responsibility for their student's use of their own or other non-District equipment to access the District's Computer Network System, and take full responsibility for any damage to non-District property or equipment resulting from such use. Goods or services purchased over the Internet, or any financial obligation incurred by a student through the Internet, is the sole responsibility of the student and/or their parent/guardian.

Students are required to comply with all of the rules contained in the Authorization for Electronic Network Access 24/7. Student activity is monitored and captured for review by building administrators during school hours. The District will cooperate fully with local, state and federal authorities in any investigation related to any illegal activities, or activities not in compliance with Oswego Community School District 308 policies, conducted through the District's electronic technologies.

**B. Acceptable Use** - The use of on-line network computer services must at all times be in support of education and research consistent with the educational objectives of Oswego Community School District 308. All users of computer network services and computers or devices at the District, at home, or at any other location, must comply with all rules, regulations, guidelines, terms, and conditions adopted both by the Administration and by classroom teachers and all school staff members.

**C. CIPA Requirements** - The Children's Internet Protection Act (CIPA) was enacted by Congress in 2000 to address concerns about children's access to obscene or harmful content over the Internet. Oswego Community Unit School District 308 complies with the CIPA law, including maintaining an Internet safety policy that includes technology protection measures. The protection measures block or filter Internet access to pictures that are: (a) obscene; (b) child pornography; or (c) harmful to minors (for computers that are accessed by minors). The District's Internet safety policy addresses:

1. Monitoring the online activities of minors;
2. As required by the Protecting Children in the 21st Century Act, educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber-bullying awareness and response.
3. Access by minors to inappropriate matter on the Internet;
4. Safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications;
5. Unauthorized access, including "hacking," and other unlawful activities by minors online;
6. Unauthorized disclosure, use, and dissemination of personal information regarding minors; and
7. Measures restricting minors' access to materials harmful to them.

**D. Educational Purpose** - Access to technology in Oswego Community School District 308 and its Computer Network System has been established for educational purposes. All electronic devices and technologies must be used in support of the educational program. District computers, telecom, memory devices, networks, and related hardware and software are the property of Oswego Community School District 308. At no time does the District relinquish exclusive control of its electronic technologies or Computer Network System.

Access may be limited or revoked at any time for abusive or inappropriate conduct, which may include interfering with

eLearning, network functions and the standardization of technologies. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of electronic technologies may result in one or more of the following consequences:

1. Suspension or cancellation of use or access privileges;
2. Payment for damage or repairs;
3. Discipline under other appropriate District policies, including suspension, expulsion, exclusion or termination of employment; or
4. Civil or criminal liability under other applicable laws.

**E. Vandalism** - Any/All vandalism or attempted vandalism (physical or electronic) to the District's computers, network files or to the Computer Network System is prohibited and will result in immediate revocation of Computer Network system privileges, disciplinary action, and potential legal action. Vandalism includes, but not limited to, the downloading, uploading, or creation of computer viruses, worms or other malicious files, as well as physical damage to equipment.

**F. Security** - Security in any Computer Network System is a high priority, and must be a priority for all users. If a student is aware of any security risk or abuse of the Computer Network System, the student must notify a teacher or other staff member immediately. Students should set up unique passwords for student accounts and are prohibited from sharing their login ID or password with any other individual. Any attempt to log-in as another individual onto the Computer Network System will result in immediate revocation of privileges.

**G. Prohibited Use** - Unethical and unacceptable behavior as defined below is prohibited and shall result in disciplinary action, which may include all discipline available under the Oswego Community School District 308 Rights and Responsibilities Code and suspension or revocation of Computer Network System privileges. Unethical and unacceptable use of the Computer Network System shall include, but not be limited to use of the Computer Network System to:

1. Access, retrieve, view, upload, download, store, print, post, or distribute obscene or indecent materials. Indecent materials are any materials, sexual activities, or organs, which in context, depict, or describe in terms patently offensive, as measured by contemporary community standards. Obscene materials are those materials that, taken as a whole, appeal to the prurient interest in sex, which portray sexual conduct in a patently offensive way in which, taken as a whole, do not have any serious literary, artistic, political, or scientific value.
2. Access, retrieve, view or disseminate any material in violation of any U.S. or state regulation or district policy. This includes, but is not limited to, improper use of copyrighted material, improper use of passwords or access codes (e.g. disclosing any user's full name, home address, or phone number or that of another student or teacher, or FERPA-related information).
3. Profit commercial activities, including advertising or sales.
4. Harass, threaten, intimidate, or demean an individual or group of individuals because of actual or perceived gender, color, race, national origin, religion, sex, age, physical or mental disability, military status, unfavorable discharge status from military service, order of protection status, homeless status, marital or parental status including pregnancy, sexual orientation, gender-related identity or expression, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic
5. Substantially threaten or actually disrupt the educational process or interfere with the rights of others at any time, either during the school day or before/after school hours.
6. Gain unauthorized access to the files of others or vandalize the data or files of another user.
7. Gain unauthorized access to resources or entities.
8. Improperly forge or alter electronic email messages or to use an account owned by another user.
9. Invade the privacy of any individual.
10. Download, copy, print, or otherwise store or possess data which might be considered in violation of these rules.
11. Engage in any illegal act or violate any local, state, or federal statute or law.
12. Install any non-approved personal equipment or transfer or installation of non-approved software on any District-owned systems.
13. Email, text-message, instant message, or post on social media networks, websites or applications personal topics not related to any educational purpose.

**Disclaimer** - Oswego Community School District 308 makes no warranties of any kind whether expressed or implied, for the Computer Network System which it provides to district students. The District will not be responsible for any damages suffered including loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruption. The District will not be liable for damage to any property of a student or their family resulting from access to and use of the Computer Network System. Use of any information obtained via the Computer Network system is at the user's own risk. The District denies any responsibility for the accuracy or quality of information obtained through the Computer Network System.

**H. Limited Expectation of Privacy** - By authorizing use of the District electronic technologies, Oswego Community School District 308 does not relinquish control over content or data transmitted or stored on the network or contained in



files. Users should expect only limited privacy in the contents of personal files on the District's electronic technologies.

Routine maintenance and monitoring of the District's electronic technologies may lead to a discovery that a user has violated this policy, another School District policy, or the law. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or School District policy.

Parents/Guardians have the right to investigate or review the contents of the electronic files and email files of their child, under the age of 18, and request the termination of such a child's individual account at any time.

**I. Online Learning Program** - Parents bear responsibility for their student's use of their own or other non-District equipment to use or access the District's Computer Network System, and take full responsibility for any damage to non-District property or equipment resulting from such use. Parents/Guardians and student participants also bear the responsibility to keep any online learning space that is not on District property safe, uncluttered, and free from hazards and other dangers. Further, any injury resulting from the online learning program should be reported to the District immediately, in the same manner as students report injuries that occur on District property.

**J. Other District Policies** - Use of the District's electronic technologies must not violate other policies and regulations of the District.

**K. Educational Technologies** - The District may contract with various educational technology vendors for beneficial K-12 purposes, such as providing personalized learning and innovative educational technologies, and increasing efficiency in school operations. Under Illinois' Student Online Personal Protection Act, or SOPPA (105 ILCS 85/), educational technology vendors and other entities that operate websites, online services, online applications, or mobile applications that are designed, marketed, and primarily used for K-12 school purposes are referred to as *operators*. Depending upon the particular educational technology being used, the District may need to collect different types of student data, which is then shared securely with operators through their online sites, services, and/or applications. Under SOPPA, these operators are prohibited from selling or renting a student's information or from engaging in targeted advertising using a student's information. Such vendors may only disclose student data for K-12 school purposes and other limited purposes permitted under the law and per [Board Policy 7:345, Use of Educational Technologies](#).

In general terms, the types of student data that may be collected and shared include personally identifiable information (PII) about students or information that can be linked to PII about students, such as:

1. Basic identifying information, including student or parent/guardian name, student or parent/guardian contact information, username/password, student ID number
2. Demographic information
3. Enrollment information
4. Assessment data, grades, and transcripts
5. Attendance and class schedule
6. Academic/Extracurricular activities
7. Special status indicators (e.g. disability information, English learner, free/reduced meals, homeless/foster care)
8. Conduct/Behavioral data
9. Health information
10. Food purchases
11. Transportation information
12. In-application performance data
13. Student-generated work
14. Online communications
15. Application metadata and application use statistics
16. Permanent and temporary school student record information

Operators may collect and use student data only for K-12 purposes, which are purposes that aid in the administration of school activities, such as:

1. Instruction in the classroom or at home (including eLearning)
2. Administrative activities
3. Collaboration between students, school personnel, and/or parents/guardians
4. Other activities that are for the use and benefit of the school district

Any agreements between the District and any operator that involves the sharing of covered information shall be entered into in accordance with State law and District policy, with a copy of relevant contract provisions involving student privacy posted on the District's website. The website also contains an inventory of operators and their services, as well as the types of covered information being shared, and the reason for that disclosure.

Similarly, [BOE Policy 5:125, General Personnel](#), outlines acceptable technology use practices for all general personnel as it relates to usage and conduct of social media, student contact, and the internet access.

## **V. HEALTH SERVICES**



**A. Health Office** - A full-time nurse is assigned to each school for the health, safety, and well-being of students and staff. The nurse will administer first aid to all students in need of treatment and will provide immediate care if they become ill or injured at school. The nurse is not equipped to care for students beyond their immediate needs. Parents/Guardians will be notified and asked to take their student home if a nurse is unable to meet their medical needs at school. Parents/Guardians are asked to pick up ill students from school within one hour of being notified that a student is too ill to remain at school. All families must provide a minimum of one emergency contact who is local and available to pick up a student who is ill within one hour. Students who are ill should not remain at school for their own health and safety, as well as to prevent the possible exposure of healthy students to contagious illness(es).

Parents/Guardians are asked not to send their student to the nurse for evaluation of injuries/conditions that occurred away from school and are not under school jurisdiction. The nurse cannot diagnose conditions or administer medications except in full compliance with the medication policy of Oswego Community School District 308 (see Section G below). In all cases, the school retains the discretion to reject a request for administering medication, subject to the requirements of State and federal law.

The following are Health Office guidelines which may be revised or pre-empted to address pandemic related issues:

1. Physical examination and immunizations required by state law must be on file for registration to be complete.
2. Students transferring into Oswego Community School District 308 from outside the state of Illinois will have 30 calendar days from the entrance date to comply with the physical and immunization requirements.
3. All reasonable efforts will be made to keep students in class.
4. If a student needs medical attention during a class period, they should obtain a pass from the teacher for permission to report to the nurse's office.
5. Students who need to leave school for medical reasons during the school day MUST report to the nurse's office to report the need/reason to leave school. A student who leaves class without permission may be considered truant from missed classes and could be subject to interventions and/or disciplinary action for unexcused absences.
6. Criteria for the nurse to send a student home includes, but is not limited to: vomiting, diarrhea, a temperature of 100° F or greater, or nurse discretion. A nurse or building administrator must contact a parent/guardian if a student will be released from school and report the reason(s).
7. High school students complaining of severe headache and/or dizziness, or deemed otherwise impaired, will not be allowed to drive home, and a parent/guardian must arrange alternate transportation.
8. A student is too ill to go to school if they have/have had:
  - Vomiting or diarrhea within the past 24 hours
  - 100°F temperature within past 24 hrs (must be fever-free without fever-reducing medication for 24 hrs to return to school)
  - Contagious illness treated with antibiotics (e.g. strep throat, pink eye) and have not taken antibiotics for a full 24 hours before returning to school
  - Undiagnosed rash (unless cleared by a physician's note)
9. Students with a doctor's excuse from physical education/recess or sports should give the request to the nurse; the excuse should include begin/end dates, and specific activities in which a student may participate (if any).
10. Body piercing and tattoos (new or existing) including, but not limited to, ears and eyebrows are to be tended to at home unless they are bleeding.
11. If a student calls a parent/guardian to pick them up, and does not go through the nurse's office, the absence may be coded unexcused and as "sent home by parent request."

**B. Procedure for Injured Student** - A student requiring stitches, a brace, cast, sling or crutches, must have a doctor's written excuse for physical education/recess/athletics including beginning/end dates, as well as specific activities in which a student may participate (if any). All physical education/athletic notes must indicate when the student may return to physical education/athletics without the use of a rigid splint/brace, cast, sling, etc. If the note states "until further notice," a follow-up doctor note must be received by the nurse stating the progress of the student, or giving the re-evaluation date. Restrictions cannot continue for extended periods of time without periodic physician's notes.

A parent/guardian note will be accepted for three (3) consecutive days if a student needs to be excused from physical education. Extensions on a parent/guardian note will not be accepted. If a student needs to be excused from physical education for more than three days, a doctor's note is required. If a pattern is noted in receiving parent/guardian notes (certain days of the week or month) a doctor's note may be required to excuse the student.

When a student cannot participate in physical education, they cannot participate in indoor or outdoor recess, or athletics (Spirit Squad, cheerleading, intramurals, after-school sports, etc.) for their own safety and to protect them from accidental injury. The student may be assigned to an alternate location during physical education/recess.

If a student has a current physical education/recess restriction and is planning to participate in a field trip involving

physical activity (i.e. extended periods of walking, hiking on uneven or rough terrain, etc.) or a “Field Day” at school, an event-specific doctor’s release is required for the student to participate. It is the parent’s/guardian’s responsibility to furnish any equipment that may be needed for the student to participate (i.e. wheelchair or crutches).

**C. Pregnancy or Other Physical Education Restrictions** - If a student has a medical condition, including pregnancy, that may require a physical education/athletics restriction or otherwise require additional support from school staff, the student should provide the nurse a doctor’s note with information relating to the condition and any necessary restrictions or recommended supports needed from the school staff. Students who are pregnant are strongly encouraged to permit their doctor to share pregnancy-related information with the nurse for their health, safety and well being.

**D. Fasting** - If a student is fasting, a parent/guardian must notify the nurse and athletic personnel in writing so that arrangements can be made for alternate activities as appropriate.

**E. Elevator Procedure** - A physician’s note is needed for use of crutches, walkers, canes, and wheelchairs while at school. Use of any of these devices, with a physician’s note, will allow a student access to a school’s elevator. Students will need to observe the following procedures (failure to follow procedures may result in a loss of privileges):

1. Students must obtain a pass or administrative permission for the elevator from the health office.
2. Students approved to use the elevator may have only one (1) approved helper ride with them if needed/appropriate. Others may not use the elevator.
3. Students are not allowed to use the elevator during a school safety response or drill involving evacuation.

**F. Screenings** - The vision and hearing screening team or nurse will conduct various screening programs to detect any major areas of difficulty that students may be experiencing. The school is not equipped to assess beyond the initial screening process. The screening information will be provided to parents/guardians for use in further evaluations, upon request. Screenings may be done at the request of teachers and/or by public health requirements. Parents/Guardians will be notified only if their student fails the screening.

**Notice:**

Per the Illinois School Code, 410 ILCS 205, the Child Vision and Hearing Test Act requires screening for all students in Kindergarten. Per the Illinois Department of Public Health (IDPH), screenings are also conducted for all students in Grades 2 and 8. Additionally, students entering school for the first time and students in Special Education receive annual screening, as well as students entering PreK and any students referred by their teacher in any grade level may be screened for vision and/or hearing.

Illinois School Code, 105 ILCS 5/27-8.1(2), requires individuals conducting vision screenings to give written notice to parents/guardians of students receiving a vision screening that vision screenings done in the school setting are not a substitute for a complete eye/vision evaluation by an eye doctor. School screenings do not evaluate eye health, nor the necessary visual skills essential for successful academic achievement. Students are not required to undergo this vision screening if an optometrist or ophthalmologist has signed a report form indicating that an examination has been given within the previous 12 months. Similarly, students are not required to undergo a hearing screening if an audiologist has signed a report form indicating an examination has been given within the previous 12 months. Report forms are available from the school nurse. Students wearing glasses or contact lenses are already under a doctor’s care and are not screened.

**G. Administration of Medications** - [Board Policy 7:270](#), *Administering Medications to Students*, outlines important information for parents/guardians of students. All medication is to be transported to and from school by a parent/guardian or other responsible adult. Students are not to transport or have medications in their possession except for the self administration of medication as outlined in paragraphs 5 or 6 below. The following rules apply to the administration of medication at school:

1. A parent/guardian has the primary responsibility for administering medication to their student. Administering medication during school hours or during school-related activities is discouraged unless it is necessary for the critical health and well-being of the student.
2. Nothing in the policy shall prohibit any school employee from providing emergency assistance to students, including administering medication.
3. Before any medication can be given at school a medication authorization form must be completed and signed by the prescribing physician and a parent/guardian; this includes prescription and over-the-counter medications (such as, but not limited to, Tylenol, Advil, Tums, Midol, cough drops, cold medications, etc.).
4. Prescription medications are to be in their original containers with the student’s name, medication name, dosage, physician’s name and number, and pharmacy name and number listed. All prescription drugs turned into the health office must be counted by the school nurse and either a student’s parent/guardian or a school administrator. A total number of pills must be recorded. All medications must be stored in an appropriate locked cabinet, and only accessible by authorized personnel. Except for diabetes medication, epinephrine auto injectors and asthma inhalers, all student prescription and over-the-counter medication must remain in the Health Office.
5. Pursuant to the *Illinois School Code*, students are permitted to carry and self-administer epinephrine auto injectors, asthma inhalers, and diabetes medication, where appropriate. The Superintendent or designee shall ensure that an Emergency Action Plan is developed for each self-administering student.

Parents/Guardians of the student must provide the school nurse with the following:

- a. Written parent/guardian authorization for the self-administration of medication; or
  - b. For the use of an epinephrine auto-injector, written authorization from the student's physician, physician assistant or advanced practice registered nurse specifying the name of the student, name and purpose of the epinephrine auto-injector, the prescribed dosage, the time or circumstance under which the epinephrine auto-injector is to be administered, necessity for the medication during the day, common or likely side effects, whether the student may self-administer the medication, and an emergency number where the physician can be reached; and
  - c. The prescription label, which must include the name of the medication, prescribed dosage, and the time or circumstances under which the medication is to be administered;
  - d. Signed statement by the parent/guardian of the student acknowledging the district is to incur no liability as a result of any injury or claim arising from the self-administration of the medication, or use of an epinephrine auto-injector, regardless of whether authorization was given by a student's parent/guardian or by a student's physician, physician's assistant, or advanced practice registered nurse, and that a parent/guardian must indemnify and hold harmless the school district and its employees and agents against any such claims.
  - e. It is strongly encouraged that parents/guardians provide a back-up inhaler or epi-pen to be kept in the health office. The information provided will be kept on file in the health office.
6. Pursuant to the *Illinois School Code*, students are permitted to carry and self-administer other medications required under a qualifying plan, where appropriate. The Superintendent or designee shall ensure that an Emergency Action Plan is developed for each self-administering student. A parent/guardian of the student must provide the school nurse with the following:
- a. One (1) of the following qualifying plans that allows for the self-administration of medication:
    - (1) an asthma action plan or
    - (2) an Individual Health Care Action Plan or
    - (3) an Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form or
    - (4) a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or
    - (5) a plan pursuant to the federal Individuals with Disabilities Education Act;
  - b. Written parent/guardian authorization for the self-administration of the specific medication referenced in the qualifying plan;
  - c. The prescription label, which must include the name of the medication, prescribed dosage, and the time or circumstances under which the medication is to be administered;
  - d. The parent/guardian of the student must sign a statement acknowledging the district is to incur no liability as a result of any injury or claim arising from the self-administration of the medication or use of an epinephrine auto-injector regardless of whether authorization was given by a student's parent/guardian or by a student's physician, physician's assistant, or advanced practice registered nurse, and that a parent/guardian must indemnify and hold harmless the school district and its employees and agents against any such claims. Parents/Guardians are strongly encouraged to provide a back-up inhaler or epi-pen to be kept in the health office. All of the information provided will be kept on file in the health office.
7. All medication forms (prescription, over-the-counter and self-administration) must be renewed at the beginning of each school year with a doctor and parent/guardian signature.
8. Students will not be allowed to leave campus to obtain medication unless administrative approval is given.
9. Short-term antibiotics are often prescribed by physicians to be administered three (3) times a day. Please check with the prescribing physician; physicians may want these doses to be spread out over the longest time period possible while the student is awake. It is possible that these medications may be able to be given in the morning before school, after school, and at bedtime. Giving antibiotics at lunch could result in the doses being administered too closely together.
10. The parent/guardian is responsible for picking up extra medication at the end of a treatment and/or at the end of the school year. Medications left at the end of the school year will be properly discarded.
11. Medical cannabis may be administered to a student only pursuant to the Compassionate Use of Medical Cannabis Program Act (Ashley's Law).

**H. Physical Examination and Immunization** – [Board Policy 7:100](#), *Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students*, explains requirements for physical examinations and immunizations as prescribed by the Illinois Department of Public Health and the Illinois State Board of Education that shall be required of all students in the public schools:

1. Upon entering pre-kindergarten, kindergarten, and grades six (6th) and nine (9th);
2. Irrespective of grade, immediately prior to or upon entrance into any public school if that student has not previously been examined in accordance with Section 27-8.1 of the Illinois School Code;
3. When deemed necessary by school authorities.

4. Students not in compliance with these requirements as prescribed below may be excluded from school.

Physical/Immunization/Vision/Hearing requirements by grade level and enrollment:

- a. **IMPORTANT:** Returning students already enrolled in Oswego Community School District 308 must submit documentation of compliance with the physical examination and immunization requirements prior to September 15th of the current school year when entering Pre-kindergarten, grade 6 and grade 9.
- b. Kindergarten students new to the district must have the required physical examination and immunization requirements submitted by September 15 of the current school year.
- c. Students enrolling in Oswego Community School District 308 from another state must have a physician complete an Illinois physical form within 30 days of the first day of attendance. Students not complying with immunization/physical requirements within the 30-day period will be excluded from school.
- d. Students entering Kindergarten, 2nd, 6th, and 9th grades must submit proof of a **dental** examination, as prescribed by Illinois Department of Public Health, before May 15 of the current school year for identified grade levels..
- e. Kindergarten students, and all students entering an Illinois school for the first time, must submit a **vision** examination, as required by Illinois Department of Public Health before October 15 of the current school year.
- f. In addition to physical examinations, students must be **immunized**, per the regulations of the Illinois Department of Public Health and the Illinois State Board of Education. Students failing to meet the required Illinois mandates shall be excluded from Oswego Community School District 308 schools. In accordance with rules adopted by the Illinois Department of Public Health (IDPH), a student will be exempted from this policy's requirements regarding immunization for/when:
  - i. Religious grounds when a student's parent/guardian presents the IDPH's Certificate of Religious Exemption form to the Superintendent or designee.
  - ii. A Certificate of Religious Exemption form is presented, the Superintendent or designee shall immediately inform the parent/guardian of exclusion procedures pursuant to [Board Policy 7:280](#), *Communicable and Chronic Infectious Disease*, and the State requirements if there is an outbreak of one or more diseases from which the student is not protected.
  - iii. Medical grounds, if a physician provides written verification.

A student may be exempt from the dental or vision examination requirements if the student's parents/guardians show an undue burden or lack of access to a dentist or qualified physician/optometrist.

Parents/Guardians should contact their student's Health Office if assistance is needed to fulfill the Illinois health mandates. Note: Exempting a student from a physical examination requirement does not exempt them from participating in the physical education program.

**I. Medicaid Notice** - If a student receives special education services and is also Medicaid eligible, Oswego Community School District 308 can seek partial reimbursement from Medicaid for health services documented in the student's Individualized Education Program (IEP). Medicaid reimbursement is a source of federal funds approved by Congress to help school districts maintain and improve diagnostic and therapeutic services for students.

The reimbursement process requires the school district to provide Medicaid with the eligible student's name, birth date and Medicaid number. Federal law requires annual notification to parents/guardians of the district's intent to pursue this reimbursement opportunity.

If a family has an objection to the release of information to Medicaid, now or at any time in the future, an objection may be made in writing and forwarded to the District's Director of Health Services.

The district must continue to provide, at no cost, services listed in a student's IEP. The program has no impact on a student's/family's current or future Medicaid benefits\*. Under federal law, participation in this program CANNOT:

1. decrease lifetime coverage or any other public insurance benefit,
2. result in the parent/guardian paying for services that would otherwise be covered by Medicaid,
3. increase premiums or lead to discontinuation of benefits or insurance, or
4. result in the loss of eligibility for home and community-based waivers.

***\*Continued consent allows the district to recover a portion of costs associated with providing health services to eligible students.***

**J. Suicide and Depression Awareness and Prevention** – Suicide and depression awareness and prevention are important goals of the district. The school district maintains student and parent resources on suicide and depression awareness and prevention. [Board Policy 7:290](#), *Suicide and Depression Awareness and Prevention*, is posted on the school district

website. Information can also be obtained from the school office.

If you are in crisis, or know someone who is in crisis, please dial 9-8-8 or contact Safe2HELP Illinois at 844-4-SAFEIL (723345) or text SAFE2 (72332) or chat online at 988lifeline.org, or call the National Suicide Prevention Lifeline at 1-800-273-TALK (8255), or text the Crisis Text Line (text HELLO to 741741).

**K. Special Education** - The District shall provide a free appropriate public education in the least restrictive environment and any necessary related services to all eligible children with disabilities enrolled in Oswego Community School District 308, as required by the Individuals with Disabilities Act (IDEA). Once a student is determined to be eligible for special education under IDEA, an individualized education program (IEP) will be developed by a team of educators along with parents. The District provides a continuum of services to students with IEPs.

All students with IEPs are afforded the safeguards and rights described in the Educational Rights and Responsibilities: Understanding Special Education in Illinois document.

If you have questions about your child's or your rights under IDEA and the Illinois School Code, please contact the District's Executive Director of Special Education.

#### **L. Availability of Interpretation Services at IEP Meetings**

Parents and guardians have the right to understand and participate in the proceedings at their child's IEP meeting. The District will arrange for and cover the expense of a qualified interpreter for parents/guardians whose native language is not English or who require a sign language interpreter at the meeting. This service may be provided by a qualified district employee, or an outside vendor including a telephonic interpreter. Parents/guardians have the right to request that the interpreter provided by the school district serve no other role in the IEP meeting than as an interpreter. The District will make reasonable efforts to fulfill such requests. Questions or complaints about the district's interpretive services shall be directed to the Director of English Learners.

**M. Section 504** - Students with disabilities who do not qualify for an individualized education program under the federal Individuals with Disabilities Education Act and the Illinois School Code may qualify for services under Section 504 of the federal Rehabilitation Act of 1973 if the child (i) has a physical or mental impairment that substantially limits one or more major life activities, (ii) has a record of a physical or mental impairment, or (iii) is regarded as having a physical or mental impairment. Parents/Guardians seeking information about Section 504 rights and services should contact the District's Executive Director of Special Education.

### **VI. ATTENDANCE**

Per [Board Policy 7:70, Attendance and Truancy](#), and [Board Policy 7:90, Release During School Hours](#), punctual and regular attendance at school is the joint responsibility of the student and their parent(s)/guardian(s) and is necessary if a student is to obtain maximum benefit from their educational experience. Regular attendance is a State mandate as well as a value and standard that prepares the student for the world of work and adult responsibilities. The school district expects all students to attend school, to be on time, and to bring appropriate school materials with them, whether attendance is in-person or in a remote environment. Students must be in attendance for at least half of the day to participate in extracurricular, sporting activities and/or after school events except with prior administrative approval.

#### **A. Definitions of Terms**

**1. Tardy to Class** - While students are expected to be in each class on time and ready to learn, a student not present when class begins will be considered tardy to class.

**2. Chronic Truant** - Defined as a student subject to compulsory school attendance and who is absent without valid cause from such attendance for 5% or more of the previous 180 regular attendance days. Administration may require doctor notes, and/or medical documentation may be required for each health-related absence if a student is chronically truant.

**3. Excused Absence or Excused Tardy** - Absence or tardy reported to the attendance office by a student's parent/guardian or an eligible student for a valid cause as defined in the *Illinois School Code* including: illness (including mental or behavioral health of the student), death in the immediate family, family emergency, college visit, religious holiday observance, voting pursuant to Illinois Election Code, such other situations beyond the control of the student as determined by the Board of Education, or such other circumstances which cause reasonable concern to the parent/guardian for the mental, emotional or physical health or safety of the student. Court appearances, exclusionary discipline, and medical/dental appointments are excused.

**4. Mental Health Excused Absence** - Absence for cause by illness including the mental or behavioral health of the student for up to 5 days for which the student need not provide a medical note. The student shall be given the opportunity to make up any school work missed during the mental or behavioral health absence and, after the second mental health day used, may be referred to the appropriate school support personnel.

**5. Unexcused Absence or Unexcused Tardy** - Being absent and/or tardy to school without valid cause includes, but is not limited to: vacations, unnecessary parent/guardian sign outs, class cutting/skip days, working, missed bus, oversleeping, car trouble, personal appointments, needs at home (childcare babysitting, waiting for repairs, service, etc.), and/or other avoidable absences. Staff and administration shall work together with students and



their families to ensure students successfully complete prescribed curriculum, and are not solely promoted to the next grade level based upon age or any social reasons not related to academic performance.

**6. Pre-Planned Absence** - Pre-planned absence occurs when parent/guardian notification is given to the school prior to a student absence. This type of absence is unexcused without a valid cause as defined in *Illinois School Code*. Parents/Guardians are discouraged from taking students out of school for vacation or non-school events as there is no real substitute for actual classroom participation and attendance. The State of Illinois requires regular school attendance, and students are responsible for making up missed work, tests and assignments. The following procedure must be followed in order for the absence to be acknowledged:

- a. Parent/Guardian calls the attendance office to report the absence in advance (see “d” below)
- b. [Prearranged student absence form](#) is completed and returned to the school as requested by administration
- c. If required, the form must be signed by the student’s teachers and a parent/guardian.
- d. Form must be returned to the attendance office two (2) days prior to the absence.

#### **B. Calling in a School Absence -**

1. Each day a student is absent, a parent/guardian must notify their student’s school attendance office before 10:00 a.m.
2. If approved notification is not received by the school’s attendance office, the absence may be unexcused.
3. When reporting an absence, please provide the reason for the absence, and symptoms if the student is ill. Written notes are not accepted.
4. To contact your student’s **school attendance office**, please visit [www.sd308.org](http://www.sd308.org).

#### **C. Attendance Violations -**

##### **1. Early Childhood Attendance Violations**

- a. Tardy - Unexcused late arrival to school. A parent/guardian is notified by the building principal in writing when a student has been chronically tardy to discuss intervention, support, and/or continued enrollment in the district’s early childhood program.
- b. Unexcused Absence from School - Unexcused absences are absences without valid cause result in parent/guardian notification by the building principal in writing to discuss interventions, support, and/or continued enrollment in the early childhood program.

*Note: Enrollment in a district early childhood program will be re-evaluated after 15 days of unexcused or pre-planned absence. If re-enrollment is requested for a student who has been dropped from the program for attendance reasons, the student will be placed at the bottom of the waiting list.*

##### **2. Elementary School Attendance Violations**

- a. Tardy - Unexcused late arrival to school. Chronic cases of tardiness will result in parent/guardian written notification by the building principal to discuss intervention and support.
- b. Unexcused Absence from School - Unexcused absences are absences without valid cause and result in written parent/guardian notification by the building principal. Chronic cases of unexcused absences may result in a referral to a Kendall County Regional Office of Education Truancy Caseworker.

##### **3. Junior High and High School Attendance Violations**

- a. Tardy to Class - Students are tardy if they are not in their assigned classroom on time. Students tardy to class will be addressed by the teacher and/or administration together with parents/guardians, to review appropriate expectations, and discuss age-appropriate interventions and supports. Consequences for tardiness may include but are not limited to: warning, parent/guardian contact, detention, in-school intervention, or loss of privilege per administrative discretion.
- b. Tardy to School - Age-appropriate intervention and support, as well as age-appropriate progressive consequences based upon the lateness of arrival and number of occurrences, will be discussed with students and their families. As determined by administration, consequences may include, but are not limited to: warning, detention, in-school suspension, or loss of privilege. Chronic cases may result in referral to a Kendall County Regional Office of Education Attendance Caseworker after appropriate building intervention and support have been implemented with no resulting improvement.
- c. Unexcused Absence from Class - Unexcused arrival to class ~~by 6 minutes or more~~ may result in an absence from class. Progressive consequences based upon the lateness to class and number of occurrences will be determined by administration and may include, but are not limited to: detention or extended day or in-school suspension. Chronic cases may result in a referral to a Kendall County Regional Office of Education Attendance Caseworker, after appropriate building interventions and supports have been implemented with no resulting improvement.
- d. Unexcused Absence from School - Progressive parent/guardian notification(s) related to student attendance concerns, as well as engagement in discussing appropriate interventions and supports, occur. Consequences determined by administration may include, but are not limited to: in-school intervention, loss of privilege, etc. Chronic absences and tardiness may

be referred to a school counselor and/or a Kendall County Attendance Caseworker (for a student under the age of 17).  
District administration may deviate from disciplinary guidelines set forth above on a case-by-case basis.

Students are expected to adhere to arrival and dismissal times. Students should promptly vacate all Oswego Community School District 308 property at the end of the school day unless otherwise preapproved to remain on campus (ie: club / activity attendance, sports, tutoring, etc.) It is the expectation of all parents / guardians to secure transportation or pick up their child within a reasonable amount of time from dismissal if the student is not accessing Oswego Community School District 308 student transportation.

## **VII. BULLYING, INTIMIDATION, HARASSMENT, & MICROAGGRESSIONS**

Oswego Community School District 308 maintains a policy on bullying with respect to the prevention of bullying. Oswego Community School District 308 maintains [Board Policy 7:180, \*Prevention of and Response to Bullying, Intimidation, and Harassment\*](#), and [Board Policy 7:20, \*Harassment of Students Prohibited\*](#) as those governing policies.

The Student Rights and Responsibilities Code is communicated to, and acknowledged by, parents/guardians and students in grades 6-12 electronically. This occurs through the Student Information System during annual enrollment for parents/guardians and during the first 2 weeks of student attendance each year. The Rights and Responsibilities Code is also accessible on the district website at [www.sd308.org](http://www.sd308.org) (under "Parents"). The purpose of such policies is to ensure, to the greatest extent possible, students are provided a safe, orderly, and respectful environment that promotes teaching and learning in which no student is subject to bullying, intimidation, harassment, or microaggressions.

**A. The Illinois School Code** - The Illinois General Assembly finds that "a safe and civil school environment is necessary for students to learn and achieve and that bullying causes physical, psychological, and emotional harm to students and interferes with students' ability to learn and participate in school activities." While bullying is contrary to Illinois state law and Oswego Community School District 308 policy, nothing in the District's policy and bullying 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 United States Constitution or under Section 3 or 4 of Article 1 of the Illinois Constitution. ([105 ILCS 5/27-23.7](#)).

### **Prevention of and Response to Bullying, Intimidation, Harassment, and Microaggressions**

Bullying, intimidation, harassment, and microaggressions 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 is an important District goal.

Bullying, intimidation, harassment, or microaggressions on the basis of actual or perceived race, color, religion, national origin, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, military status, 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 paragraph (item #4) applies only when a school administrator or teacher receives a report that bullying through this means has occurred; it does not require staff members to monitor any nonschool-related activity, function or program.

**B. Bullying Defined** - Bullying is any type of physical or verbal action or conduct, including any communication made in writing or electronically, that is severe, pervasive, and often purposeful and repeated, directed toward a student that has or can be reasonably predicted to have the effect of one of the following:

1. Places the student in reasonable fear of harm to his or her person or property;
2. Causes a substantial detrimental effect on the student's physical or mental health;
3. Substantially interferes with the student's academic performance; or
4. Substantially interferes with the student's ability to participate in or benefit from services, activities privileges provided by the school or interferes with another student's attendance at school.

**C. Cyberbullying Defined** - Cyberbullying is a type of bullying that includes the following:

1. Bullying through the use of technology or any form of 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, including without limitation social media, electronic mail, Internet communications, text messages, instant messages, or facsimile communications.



2. 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 in this section.

3. Distribution by electronic means of a communication to more than one person or the posting of material on any 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 in this Section.

**D. Harassment Defined** - Harassment is unwelcome, chronic and / or repeated threatening conduct and other verbal, nonverbal, or physical threatening conduct. Harassment includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility. Per [Board Policy 7:20, \*Harassment of Students Prohibited\*](#), all types of harassment shall be prohibited.

**E. Sexual Harassment Defined** - Under the Civil Rights Act, Title IX of the Education Amendments of 1972, “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” Per Illinois School Code, [105 ILCS 5/10-20.69](#), in Oswego Community School District 308, stakeholders have further defined sexual harassment to be: The unwelcome, repeated or chronic conduct of a sexual nature, whether implicit and/or explicit, that interferes with an individual’s performance or creates an intimidating, hostile, or offensive environment. The terms ‘intimidating’, ‘hostile’, or ‘offensive’ include, but are not limited to, conduct that has the effect of humiliation, discomfort, or embarrassment.

Should the nature of the act create a hostile environment so severe, pervasive, or objectively offensive to deny or limit an individual’s ability to participate in or receive the benefits, services, or opportunities of the District’s educational programs, please refer to Section IX: TITLE IX.

**F. Intimidation Defined** - Intimidation is unwelcome conduct causing fear of harm to his or her person or property.

**G. Microaggressions Defined** - Microaggressions are verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, that communicate hostile, derogatory, or negative messages.

**H. Restorative Measures Defined** - Restorative measures means a continuum of school-based alternatives to exclusionary disciplines 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; (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, and (vii) increase student accountability if the incident of bullying is based on religion, race, ethnicity, or any other category that is identified in the ~~Ill.~~ Human Rights Act.

**I. For purposes of School Oswego Community School District 308 policy, “bullying” (which includes cyber-bullying), “harassment”, “intimidation” and “microaggressions” may include:**

1. Physical acts, such as inappropriate, unwanted, uninvited, or injurious physical contact with another; harassment, threats, intimidation, theft, public humiliation, retaliation for asserting or alleging an act of bullying, stalking; sexual assault; and destruction or damage to property of another.
2. Written and electronic communication of any type that incorporate language or depictions that would constitute bullying, using any medium (including, but not limited to, cell phones, computers, websites, electronic networks, instant messages, text messages and emails);
3. Verbal threats made to another, or blackmail, or demands for protection money;
4. Non-verbal threats or intimidation such as aggressive or menacing gestures;
5. Direct or indirect, relationally aggressive behavior such as social isolation, rumor spreading, or damaging someone’s reputation;
6. Verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, that communicate hostile, derogatory, or negative messages.
7. Expression of ideas or beliefs in a way that is lewd, profane, or intended to intimidate or harass another;
8. Any of the above conduct which occurs off school grounds when such conduct creates, or can reasonably be expected to create, a substantial disruption in a school setting and/or at school sponsored activities/events.
9. Transmissions from a computer or device accessed at a non-school-related location, activity, function, or program and/ or from 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 education process or orderly operation of a school. (105 ILCS 5/27-23.7(a)(4))

The examples listed above are meant to be illustrative and are not exhaustive of conduct that may or may not be considered “Bullying,” “Harassment,” “Intimidation”, or “Microaggressions.” Nor are they intended to limit the exercise of discretion granted to school administrators under Sections 5/10-20.12(d) or 5/10-22.6 of the School Code for addressing instances of student misconduct.

**I. Bullying, Harassment, Intimidation, and Microaggressions are Prohibited** - Conduct that is covered by this Policy is conduct that occurs on school property, at school-sponsored activities or events, while in school, on school buses or other school vehicles, at designated school bus stops, “cyber-bullying” conduct occurring inside or outside

of school, or when the conduct otherwise would substantially impede the educational environment, regardless of where the conduct occurs. Any student who engages in bullying, harassment, intimidation, or microaggressions will be subject to appropriate discipline. A student's conduct may be addressed through behavioral interventions, including but not limited to restorative measures. Any student who is a bystander to any bullying, harassment, or intimidation conduct and who fails to take any action to discourage the conduct may be subject to appropriate discipline. At times a student exchange *may not be an intentional microaggression*. When a student is corrected, if the student dismisses the experience of the other student, this response is also considered a microaggression.

No student shall be retaliated against for reporting bullying, harassment, intimidation, or microaggressions. Any student who is determined to have intentionally falsely accused another person shall be subject to appropriate interventions and supports, restorative measures, and/or discipline.

**J. Report and Investigation** - Oswego Community School District 308 has developed a reporting process that includes an incident reporting form accessible from the website at [www.sd308.org/Domain/5083](http://www.sd308.org/Domain/5083). Completed forms are forwarded to district administration, the building principal and / or their designee. Anyone who witnesses any conduct that could constitute bullying, harassment, intimidation, or microaggressions shall report the incident as soon as possible to any school staff member. This report shall be submitted to the principal or designee(s) responsible for student discipline who shall conduct or cause to be conducted a thorough investigation of the alleged incident in a timely manner, and make all reasonable efforts to complete the investigation within 10 school business days after the date the report of the incident of bullying, harassment, intimidation, or microaggressions was received.

Discipline and/or other appropriate support and interventions related to an outcome of an investigation shall be imposed consistent with the District's adopted discipline code. For purposes of this policy, "restorative measures" means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that:

1. are adapted to the particular needs of the school and community,
2. contribute to maintaining school safety,
3. protect the integrity of a positive and productive learning climate,
4. teach students personal and interpersonal skills they need to be successful in school and society,
5. serve to build and restore relationships among students, families, schools, and communities, and reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school.

Local law enforcement and the State's Attorney shall be notified immediately of all incidents involving bodily harm, property damage or any conduct which reasonably is believed by the school administrator(s) to be a violation of the criminal laws. The investigation of any such bullying conduct shall proceed in cooperation with the police and other applicable law enforcement authorities. The School District always retains its right to investigate and impose any discipline for violation of this Policy, whether or not criminal charges are pursued. The Superintendent or designee periodically shall review disciplinary incidents involving bullying, harassment, intimidation, or microaggressions or conduct placing students at risk for purposes of monitoring the: (1) effectiveness of the District's programs and interventions in creating a climate of mutual respect and civility in the school community, and (2) application of this policy in a non-discriminatory manner.

Students who believe they are victims of or have witnessed harassment, intimidation, microaggressions, bullying, hazing or retaliation should immediately report it orally or in writing to one of the District Complaint Managers or any staff member with whom the student is comfortable speaking. Anyone who has information about actual or threatened bullying, harassment, or intimidation, is encouraged to report it to one of the District's Complaint Managers or any staff member.

The District will not punish anyone because they made a complaint or report, supplied information, or otherwise participated in an investigation or proceeding, provided the individual did not make a knowingly false accusation or provide knowingly false information. Complaint Managers can be reached by contacting the District's Executive Director of Student Services.

## ***VIII. STUDENT CONDUCT (INTERVENTIONS, RESTORATIVE PRACTICES, AND DISCIPLINARY CONSEQUENCES)***

Our goal in Oswego Community School District 308 is to create an environment where students, staff, and the school community can feel physically and psychologically safe.

Students have the responsibility to act on and off campus in ways that support the learning process, and in a manner that does not disrupt or interfere with others' learning or the daily operations of school. In the event a student violates expectations of appropriate conduct at school or in any of the areas previously specified in Article II, Section C, including, but not limited to a school's campus, bus route, bus stop, extracurricular activities or at any activity reasonably related to school, school personnel may exercise behavioral interventions, restorative practices, and / or disciplinary consequences to help change behavior. Goals and objectives of [Board Policy 7:190, Student Behavior](#),

and *Guidelines for the use of: Behavioral Interventions for Students with Disabilities*, found at <https://www.sd308.org/Page/26974>, 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 as appropriate
5. Teach students positive behavioral skills to become independent, self-disciplined citizens in the community and society.

**A. Student Dress** - Per [Board Policy 7:160](#), *Student Appearance*, student dress is the collective responsibility of the students, parents/guardians, and school district to ensure that student attire must not interfere with the health or safety of any student, that student attire does not contribute to a hostile or intimidating atmosphere for any student, and that dress code enforcement does not reinforce or increase marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income, or body type/size. At times, restrictions imposed on the way a student dresses may be necessary to support the overall educational goals of the school.

In relation to student dress, and to align with the district's equity statements:

- Students should be able to dress and style their hair for school in a manner that expresses individuality without fear of discipline or body shaming. The District does not prohibit hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protected hairstyles such as braids, locks, and twists.
- Students have the right to be treated equitably. Dress code enforcement shall not create disparities, reinforce or increase marginalization of any group, nor be more strictly enforced because of racial identity, ethnicity, gender identity, gender expression, gender nonconformity, sexual orientation, cultural or religious identity, household income, body size/type, or body maturity
- Students are responsible for managing their personal distractions regarding others' dress

Clothing must include the following:

- Top
- Bottom
- Footwear

Clothing must cover private parts in opaque material (not able to be seen through).

Clothing that students may wear includes religious and cultural headwear.

Clothing/jewelry/personal items that students **may not wear or carry** includes:

- Displays of comments, pictures, slogans, symbols or designs that include weapons or that are obscene, profane, lewd/vulgar, or symbolize/represent hate speech, profanity or sexual innuendo
- Displays of comments, pictures, slogans or designs that are drug, tobacco, or alcohol related
- Association with, or promoting, any gang affiliation

Clothing that significantly interferes with the learning environment, which may include hats or hoods that do not fall into the above categories, or presents safety concerns for educational / extracurricular experiences (e.g. science, kinetic wellness, etc.) with safety-based requirements, will be addressed/enforced equitably by administration.

**B. Gross Misconduct/Disobedience** - Gross misconduct or disobedience includes, but is not limited to; the following types of conduct and such other conduct as may be designated by policy of the Board of Education. All acts of gross misconduct or disobedience that may be considered criminal behavior will be referred to the proper legal authorities. Expectations of the district's procedure for the interview of students where criminal behavior generates a referral to legal authorities are contained in [Board Policy 7:150](#), *Agency and Police Interviews*.

**1. Prohibited Items** - Items that may interfere with the educational process and/or the rights or safety of staff and students are not allowed on school property or in the classroom. Examples include, but are not limited to:

- a. Hoverboards and/or skate shoes
- b. Personal items used for non-curricular activities (i.e. toys, electronic devices, laser pens, recess equipment from home, and game/trading cards)
- c. Unauthorized devices that could be used to violate the Rights and Responsibilities Code, conduct criminal activity, cheat, take unauthorized photos or videos, access the Internet, or play or record media that disrupts the educational environment and/or violates the rights of others must be powered off and kept out of sight during the regular school day except as approved by building administration.
- d. If administration has reasonable suspicion that the content of cell phones or other electronic devices violates the Code or is inappropriate, administration reserves the right to view content

on these devices, contact the parent/guardian and law enforcement (for criminal activity), and to enact discipline.

**2. Prohibited Student Conduct** - The school administration is authorized to discipline students for gross disobedience or misconduct, including but not limited to:

- a. Using, possessing, distributing, purchasing, or selling vaping, tobacco or nicotine materials, including without limitation electronic cigarettes and/or any type of vaping device or paraphernalia.
- b. 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.
- c. Using, possessing, distributing, purchasing, selling, or offering for sale:
  - i. Any illegal drug, controlled substance, or cannabis (including marijuana and hashish or any variation of THC), except a medical cannabis infused product authorized to be administered under Ashley's Law.
  - ii. Any anabolic steroid unless it is being administered in accordance with a physician or licensed practitioner's prescription.
  - iii. Any performance-enhancing substance on Illinois High School Association's most current banned substance list unless administered in accordance with a physician or licensed practitioner's prescription.
  - iv. 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 or licensed practitioner's instructions.
  - v. Any inhalant, regardless of whether it contains an illegal drug or controlled substance that: (a) student believes is, or represents to be capable of, causing intoxication, hallucination, excitement, or dulling of 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 brain or nervous system.
  - vi. 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 powder form.
  - vii. "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.
  - viii. Drug or vape paraphernalia, including devices or objects that were/are, or can be used to:
    - (a) ingest, inhale, or inject cannabis or any variation of THC or controlled substances into the body;
    - (b) grow, process, store, or conceal vaping substances, cannabis or any variation of THC or other controlled substances.

*Note: Prohibition in this section does not apply to student use of asthma or other legal/prescribed inhalant medications. 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.*

**3. Weapons** - Using, possessing, controlling, or transferring a "weapon" as that term is defined in the Weapons section of this policy, or any component of a weapon, or look-alike weapon, or violating the Weapons section of this policy. 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 (2) calendar years:

- a. 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).
- b. If used or attempted to be used to cause bodily harm, a knife, brass knuckles or knuckle weapon regardless of its composition, a billy club, or any other object 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; Superintendent's determination may be modified by the Board on a case-by-case basis.
- c. The Superintendent or designee may grant an exception to this policy, upon the prior request of an adult supervisor for students in theater, 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 law permits individuals who are licensed to carry a concealed firearm to legally store a firearm in a locked vehicle in a school parking lot.

**4. Fighting/Bodily Harm** - Fighting and/or the actual infliction of bodily harm or physical violation may include but is not limited to endangering the well-being of others and/or dangerous actions on school grounds, at school sponsored events, or at any event reasonably related to school. When such an event occurs, a thorough investigation will be conducted by the administration. Discipline is considered, and may be issued, for all participants. All students should conduct themselves in a positive and respectful manner and report fighting, and/or threats of fighting to school personnel. Encouraging fighting, including taking pictures and/or video recording fighting, or infringing upon a staff member's ability to break up a fight is also considered gross misconduct under this code. For required reporting, the following distinctions shall be identified and coded as they relate to incidents of fighting:

- a. Fighting without a weapon
- b. Fighting with a weapon
- c. Fighting with an explosive
- d. Encouraging fighting/bodily harm

**5. Using or Possessing an Electronic Device** - The District recognizes the importance of communication and collaboration, and provides electronic devices for students to be productive in the classroom. To focus on academics and reduce unnecessary distractions, the following expectations will be in place for all students:

For all grade levels, using a cell phone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment including student transportation, or harasses or violates the rights of others, including using the device to take photographs in locker rooms, ~~or~~ bathrooms, or on any form of student transportation, taking photographs or recording a fight, cheating, or otherwise violating student conduct rules will not be tolerated. All electronic devices must be powered-off/out-of-sight during regular school day unless in one of the following circumstances:

- a. With supervising teacher's permission for educational purposes only
- b. As provided in a student's individualized education program (IEP) or Section 504 plan
- c. In an emergency that threatens safety of students, staff, or other individuals

#### **Elementary School (Grades Kindergarten - 5) Cell Phone / Mobile Device procedures:**

All district elementary schools have the following cell phone expectations:

- Cell phones/mobile devices may be used by students only before 9:00 a.m. and after 3:50 p.m.
- Cell phones/mobile devices are not to be used by students during school hours (9:00 a.m.- 3:50 p.m.) unless authorized by a teacher or administrator. Prohibiting student use of cell phones/mobile devices during school hours includes: classrooms, library, common areas, health office or restrooms rooms, outside areas, and during lunch or transition times between classes.
- Students may seek staff permission or report to the office to use a cell phone/mobile device during school hours for an urgent/personal reason.

Failure to abide by the expectations of the elementary cell phone procedures may include the following consequences: verbal/written warning, parent guardian contact and/or meeting, securing a student's cell phone/device in the office until transferred to a parent/guardian, as well as additional disciplinary consequences related to insubordination, disruption, or other conduct/gross misconduct per the Rights and Responsibilities code.

#### **Junior High School (Grades 6 - 8) Cell Phone/Mobile Device procedures:**

All district junior high schools have the following cell phone expectations:

- Cell phones/mobile devices may be used by students only before 8:10 a.m. and after 3:10 p.m.
- Cell phones/mobile devices are not to be used by students during school hours (8:10 a.m.- 3:10 p.m.) unless authorized by a teacher or administrator. Prohibiting student use of cell phones/mobile devices during school hours includes: classrooms, library, common areas, health office or restrooms/locker rooms, outside areas, and during lunch or transition times between classes.
- Students may seek staff permission or report to the office to use a cell phone/mobile device during school hours for an urgent/personal reason.

Failure to abide by the expectations of the junior high cell phone procedures may include the following consequences: verbal/written warning, parent guardian contact and/or meeting, securing a student's cell phone/device in the office until transferred to a parent/guardian, criminal investigation by law enforcement, as well as additional disciplinary consequences related to insubordination, disruption, or other conduct/gross misconduct per the Rights and Responsibilities code.

**6. Using/Possessing Laser Pointer**-unless under direct staff supervision and in the context of instruction.

**7. Insubordination/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, wear or present school identification, or submit to a reasonable 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 information



and/or copies or scores.

- a. Forging passes, misrepresenting the truth, falsifying school documents
- b. Accessing restricted files/information, any abuse of the Oswego Community School District 308 Computer Network (as referenced in section IV Authorization for Electronic Network Access)
- c. Academic dishonesty, cheating or plagiarism
- d. Theft from students or staff, misappropriation of found items

**9. Engaging in hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to another or any urging of other students to engage in such conduct** - Prohibited conduct includes, without limitation, any use of violence, force, noise, coercion, threats, intimidation, stalking, fear, harassment, sexual harassment, public humiliation, destruction of property, retaliation, hazing, bullying, with or without the use of a school computer, or other electronic device or comparable conduct. For required reporting, the following distinctions shall be identified and coded as they relate to incidents of harassment:

- a. Harassment based on gender
- b. Harassment based on sexual orientation
- c. Harassment based on gender identity
- d. Harassment that involves conversations, rumors or teasing that are sexual in nature
- e. Harassment that involves inappropriate touching
- f. Harassment that involves viewing or possession of pornographic material, intimidation, intent to intimidate, and/or retaliation
- g. Harassment based on race, color, ancestry, nationality, and/or ethnicity
- h. Harassment based on an individual's religion and/or creed
- i. Harassment based on physical or mental disability.

**IMPORTANT:** The district does not tolerate any conduct that affects the tangible benefits of education, and/or that unreasonably interferes with a student's educational performance and/or creates an unsafe, intimidating, hostile or offensive educational environment. The terms "intimidating," "hostile" and "offensive" include conduct that has the effect of humiliation, embarrassment or discomfort. Students who feel they are victims of or have witnessed harassment, intimidation or bullying, should notify a dean, counselor, administrator, teacher or other school employee. All reports of harassment will be kept confidential to the extent possible given the need to investigate. Violations may be reported to law enforcement authorities and/or other law enforcement agencies as appropriate by the school administration, and/or the parents/guardians and/or the student.

Sexual harassment, including but not limited to: (1) harassment based on gender, sexual orientation, gender identity, (2) inappropriate touching, (3) crude jokes, comments, or pictures, (4) conversations, spreading of rumors, and/or teasing that are sexual in nature, or (5) viewing or possession of pornographic material is prohibited. Bullying/Hazing, as described in Section VII, are prohibited. Hazing is defined as any intentional, knowing, or reckless act directed to, or required of, a student for purposes of being initiated into, affiliating with, holding office in, or maintaining membership in any group, organization, club, or athletic team whose members include other students.

**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 expression of gender or sexual orientation or preference, or display of affection during non-instructional time.

**11. Teen dating violence** as described in [Board Policy 7:185](#), *Teen Dating Violence*.

**12. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.**

**13. Being absent without a recognized excuse** - State law and School Board policy regarding truancy control will be used with chronic and habitual truants.

**14. Entering school property or a school facility without proper authorization.**

**15. Calling 9-1-1 in the absence of a reasonable belief that an emergency exists.** Calling first responders (i.e., calling 911); signaling or setting off alarm or signal indicating presence of an emergency; or indicating presence of bomb or explosive device on school grounds, school bus, or at a school activity is gross misconduct.

**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, clothing or paraphernalia.

**18. Violating any criminal law** - including but not limited to: assault, battery, arson, theft, gambling, hazing, eavesdropping, vandalism, sending/posting nude/semi-nude images by electronic device, application, or social media (sexting).

**19. Disruptive/Unsafe acts** - Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or 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, student, or Board member; or (b) endanger the health, education or safety of students, staff, or school property.

**20. Making an explicit threat on an Internet website against a school employee, student, or school-related personnel** if the Internet website through which the threat was made is a site that was accessible within the

school, or was available to third parties who worked or studied within the school grounds, and the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of their duties or employment status or status as a student inside the school.

**21. 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.

**22. Student Parking (HS only)** - Failing to follow basic traffic rules within designated motor vehicle areas including but is not limited to: obeying posted speed limits, parking in designated / or specific assigned areas, and reporting vehicle accidents in accordance with the law.

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 expectations, intervention and support, shall be made to deter students, while at school or a school-related event, from engaging in aggressive behavior that may reasonably produce physical or physiological harm to another. The Superintendent or designee shall ensure the parent/guardian of a student who engages in aggressive behavior is notified of the incident. 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.

Not every situation involving misconduct is, or can be, covered in this document. District administration may alter, revise, adjust or increase sanctions and discipline on a case-by-case basis, as the interests and safety of the district and its students and staff require. Except in certain circumstances, the District will exhaust all other means of intervention before expelling students or suspending them out of school. **District administration is specifically empowered, on a case-by-case basis, to deviate from the disciplinary guidelines set forth below when, in its sole discretion, it is necessary for the safe, proper and efficient operation of the district.**

### C. Teaching about Controversial Issues

Per Board Policy 6:80, *Instruction*, all school sponsored presentations and discussions that include controversial or sensitive topics within the instructional program, including those made by guest speakers are:

- age appropriate, with proper decorum considering the students’ ages
- consistent with the curriculum and serve an educational purpose
- informative and present a balanced view
- respectful of the rights and opinions of everyone with emotional criticisms and hurtful sarcasm being avoided
- Not tolerant of profanity or slander

*\*A parent may request for their child to opt out of an educational experience. For this request, please submit the [SD308 Supplemental Material Citizen’s Request for Reconsideration of Work](#) form to the building principal. In the event a student does opt out, a supplemental or alternative assignment that meets the applicable learning standards may be provided at the discretion of the instructional program.*

### D. Interventions Defined / Disciplinary Measures

Disciplinary Measures- Per [Board Policy 7:190, Student Behavior](#), 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. Detention / Lunch Detention
7. In-school suspension. The Building principal or designee shall ensure that the student is properly supervised.
8. Seizure of contraband; confiscation and temporary retention of personal property that was used to violate this policy or school disciplinary rules.
9. Suspension of bus riding privileges in accordance with [Board Policy 7:220, Bus Conduct](#).
10. 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.
11. Expulsion from school and all school activities for a definite time period not to exceed 2 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.



12. 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.
13. Notifying juvenile authorities or other law enforcement whenever the conduct involves criminal activity, including but not limited to, illegal drugs (controlled substances), “lookalikes,” 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 shall not be used, and 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.

Isolated time out, time out and physical restraints may be used only as permitted in 105 ILCS 5/10-20.33, ISBE rules, and administrative procedures developed by the Superintendent or designee. Isolated time out, time out and physical restraints shall not be used to discipline or punish a student.

In addition to any restorative measures, supports and interventions, and at the administrator’s discretion, students could be subject to one or more of the following interventions and/or consequences: conference with administrator, warning, counseling, peer mediation, removal of privileges (bus transportation, student parking, participation in extracurricular activities), parent/guardian contact or conference, removal from class, payment for damages, police involvement and/or arrest for criminal actions, or other interventions and/or consequences deemed appropriate by school administration.

Delegation of Authority - Each teacher, and any other school personnel when students are under their 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, Building Principal, Assistant Building 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 for 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.

**E. Off-Campus Conduct Control** - All behavioral interventions/disciplinary actions considered and/or applied in response to student behavior for a violation of school rules or other misconduct on campus, is applicable for any activity off-campus 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 student/staff health/safety, or school property. See [Board Policy 7:190, Student Discipline](#). This policy is not limited to school-sponsored/school related events. The district does not regularly seek out information, but takes action if/when such information is brought to the attention of school officials.

When it is brought to the attention of the district that a student has engaged in such conduct off-campus, the administration of the school that the student attends may conduct an investigation and initiate behavioral interventions and/or disciplinary consequences. In conducting such an investigation, the principal or his/her representative(s) will cooperate with law enforcement authorities as appropriate.

By way of illustration, but not by way of limitation, the following actions are examples of off-campus activity that may be subject to behavioral interventions and disciplinary consequences under this section:

1. Any use or threat of use of a firearm or other weapon against another person by a student.
2. Any off-campus event, such as fighting, that is an extension of an on-campus situation or relationship.
3. Any inappropriate, harassing, or intimidating electronic transmissions including, but not limited to, those delivered by text/picture/video messaging, email, blogs, web pages, and other social networking applications or sites (such as, but not limited to applications such as, but not limited to, SnapChat, TikTok, Instagram, Facebook, Twitter, etc.); or threat of violence against any student, school employee or other person by a student that is known to the school or local law enforcement agencies as a member of a criminal conspiracy or gang.
4. Any threat against any student or employee of the district purposely calculated to cause fear, or that would result in fear by a reasonable person.
5. Illegal sale or distribution of controlled substances, paraphernalia, or vape devices off campus to any person.

The term “controlled substances” has the same meaning given to that term in the Illinois Criminal Code.

6. Possession, use, transfer or control of any weapons such as firearms, ammunition, stun guns, tasers, explosives or firecrackers, look-alike weapons or components of a weapon, or other dangerous instruments.

## **IX. TITLE IX**

Sexual harassment affects a student’s ability to learn. Providing an educational environment free from sexual harassment is an important district goal per [Board Policy 2:265](#), *Title IX Grievance Procedure*. The District does not discriminate on the basis of sex in any educational programs or activities, and complies with Title IX of the Education Amendment of 1972 and its implementing regulations (34 C.F.R. Part 106) concerning everyone in the District’s education programs and activities, including applicants for employment, students, parents/guardians, employees and third parties.

**A. Title IX Sexual Harassment Prohibited** - Sexual harassment as defined in Title IX is prohibited. Any person including a District employee / agent or student engages in Title IX Sexual Harassment whenever that person engages in conduct on the basis of an individual’s sex that satisfies one or more of the following:

1. A District employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct; or
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's educational program or activity;
3. *Sexual assault* as defined in 20 U.S.C. §1092(f)(6)(A)(v), *dating violence* as defined in 34 U.S.C. §12291(a)(8), or *stalking* as defined in 34 U.S.C. §12291(a)(30).

Examples of sexual harassment include, but are not limited to nonconsensual, sexting, touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, spreading rumors related to a person's alleged sexual activities, rape, sexual battery, sexual abuse, and sexual coercion.

Consent is breached in any instance involving sexual encounters or conduct of any kind; consent is defined as knowing, voluntary and clear permission by words or actions, to engage in a particular sexual activity.

- a. Consent *occurs* when someone agrees, gives permission, or says ‘yes’ to sexual activity with another person(s).
- b. 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.
- c. 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.
- d. 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,
  6. unconscious or asleep
- e. Consent can be withdrawn at any time.
- f. Consent of one sexual activity or past sexual activity does not imply consent to other sexual activities.
- g. Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person.

Sexual harassment does not include, under any circumstance, the: (a) expression of gender, sexual orientation, or preference, or (b) consensual, non-disruptive display of affection during non-instructional time.

## **B. Making a Report**

A person who wishes to make a report under this Title IX Sexual Harassment grievance procedure may make a report to the Title IX Coordinator, Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any employee with whom the person is comfortable speaking. A person who wishes to make a report may choose to report to a person of the same gender. School employees shall respond to incidents of sexual harassment by promptly making or forwarding the report to the Title IX Coordinator. An employee who fails to promptly make or forward or report may be disciplined, up to and including discharge.

**Oswego Community School District 308 Title IX Coordinator:** Executive Director of District Student Services

- Reports of sexual harassment may be sent to: [titleixreporting@sd308.org](mailto:titleixreporting@sd308.org) or
- Reports of harassment may be sent to: [harassmentreporting@sd08.org](mailto:harassmentreporting@sd08.org)

## **X. RELATED DISCIPLINARY ISSUES**

**A. Student Dance Regulations** - Dances are provided as an extracurricular activity for students of the district. Attendance is a privilege and the following rules are set forth for all Oswego Community School District 308 dance events. Violation of the following rules could result in loss of dance attendance privileges:

1. All students must be actively enrolled within the particular school holding the dance and have their current school I.D. cards in their possession to enter the dance.
2. Students may not leave the dance and subsequently return.
3. No loitering will be allowed.
4. Behaviors deemed inappropriate, or sexually explicit dancing, results in removal from dance without a refund.
5. Attendees must be compliant with the student dress code.
6. Students must be in attendance for at least half of the school day (or day prior if dance falls on a weekend) to attend the dance
7. Students must be in good standing and not on "Loss of Privileges" for prior disciplinary action or have failed to serve prior consequences.
78. For High School only: guests must submit a signed guest pass and be pre-approved prior to the event. Guests must also be at least a 9<sup>th</sup> grader, no more than 19 years old, and present a picture ID to enter the dance.

**B. Student Transportation Regulations** - The passengers on the bus have a major role to play in ensuring a safe ride. While concentrating on maneuvering the bus safely in traffic, the driver is also responsible for observing student behavior and maintaining order on the bus. The driver's ability to drive safely is impacted if they are distracted by unsafe and/or inappropriate behavior. The following expectations are posted on every bus transporting SD 308 students to school or events to remind them what is expected of them:

1. Be respectful and follow the directions of the driver at all times.
2. Stay seated, facing the front with feet on the floor.
3. Keep hands, feet and objects to oneself and inside the bus.
4. Use respect when speaking at all times. Profanity and obscene language is not appropriate.
5. Leave gum, food and drinks at home, unless they remain unopened and in your lunch.
6. Behave in an orderly, proper manner at the bus stop.
7. Get off the bus only at your assigned stop.

Additionally, parents/guardians and their students need to understand the following:

1. The bus and each bus stop is an extension of school property and all school rules of conduct in the Rights and Responsibilities code apply.
2. Bus drivers and monitors have the authority to verbally enforce student adherence to rules and to report unsafe and/or inappropriate conduct to school authorities.
  - a. Students may be assigned seats at a driver's or a school administrator's discretion.
  - b. Students who violate bus expectations or behave in a manner that disrupts the ride will be reported to the school administration.
  - c. Consequences for inappropriate behavior may be issued to a student on a case-by-case basis, up to and including suspension from the bus.
  - d. Students suspended from the bus without alternate transportation, shall have the opportunity to make up work for equivalent academic credit.
  - e. It is the responsibility of the student's parent or guardian to notify school officials if the student lacks alternate transportation.
3. Each student must ride their assigned bus. Students requesting to ride another student's bus must submit signed notes from each of the student's parents/guardians to the school office. If approved by the school's office staff, the notes must be provided to the driver of the bus.
4. Parents/Guardians should ensure students know and understand the expectations of safe conduct on the bus.
5. Students may also be subject to video and audio recordings while on the bus.
6. Factors such as traffic incidents, weather or staffing shortages that can impact bus route schedules. If a bus is going to be more than 10 minutes late, SD308 Transportation will alert parents and students of the approximate delay via the district's mass messaging system.

Oswego Community School District 308 reserves the right to ask for mobile devices to be stored out of sight on any form of student transportation if possessing or using the device threatens or impacts the safety and / or security of operation.

## **XI. STUDENT SUSPENSION GUIDELINES**

**A. Authority for Suspension** - Per [Board Policy 7:200, Suspension](#), the Board has, by regulation, authorized the superintendent, assistant superintendents, district administrators, principals, assistant principals or deans to suspend students guilty of gross disobedience or misconduct on all district grounds, the school bus, and school-sponsored activities

or at any activity reasonably related to school.

**B. Notice of Suspension/Pre-Suspension Conference** - Before suspension the student shall be provided oral or written notice of the charges. If the student denies the charges, the student shall be given an explanation of the evidence and an opportunity to present their version of the incident. Notice of the charges and pre-suspension conference is not required 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 necessary notice and hearing shall follow as soon as practicable.

**C. Oral Notice to Parent** - An attempted phone call to the student's parent/guardian shall be made as soon as practicable. Oral notification shall be confirmed in writing to the parents.

**D. Written Notice to Parent and Student** - Written notice to the parent/guardian should include:

1. Right to review the suspension;
2. Information about the opportunity to make up work missed during the suspension for equivalent academic credit;
3. Specific act of gross disobedience or misconduct that is the reason for the suspension;
4. 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
5. Depending on the length of the out-of-school suspension, the following information:
  - a. Suspensions of three (3) school days or less must include an explanation that the student's continuing presence in school would either pose:
    - i. A threat to school safety; or
    - ii. A disruption to the learning environment.
  - b. Suspensions of four (4) or more school days must include an explanation:
    - i. that other appropriate and available behavioral and disciplinary interventions have been exhausted;
    - ii. as to whether school officials attempted other interventions or determined that no other interventions or supports were either appropriate or available for the student; and
    - iii. that the student's continuing presence in school would either: pose a threat to the safety of other students, staff or members of the school community; or substantially disrupt, impede, or interfere with the operation of the school.
  - c. Suspensions of five (5) or more school days would include all of the information listed in 5(b) above, as well as documentation determining what, if any, appropriate and available support services will be provided to the student.

A summary of the notice, including the reason for suspension and the length of the suspension, must be given to the Board by the Superintendent or designee.

**E. Hearings** - Hearings for review of suspension cases will be handled by a Board of Education appointed hearing officer. The hearing officer will be impartial and will have no interest or pre-existing knowledge of the facts leading up to the suspension. The rules of evidence shall not apply to review proceedings.

**F. Time of Suspension** - The personnel authorized by the Board may suspend students for a period not to exceed ten (10) school days. A parent/guardian may request a review by the hearing officer. If a student is suspended due to gross disobedience or misconduct on a school bus, the Board may suspend the student in excess of ten (10) school days for safety reasons. While suspended from school, students are not allowed to be on school property or at school functions.

**G. Review of Hearing Regulations** - Upon request of the parents/guardians, the hearing officer shall review such action of the principal, assistant principal or dean. A request for review must be made within five (5) school days after the date of the notice of out of school suspension. A hearing shall be convened promptly, at which time the parents/guardians of the student may appear and discuss the out of school suspension with the hearing officer and may be represented by counsel. The student shall have the right to question district witnesses and present evidence on his or her own behalf. Whenever there is evidence that mental illness may be the cause of the out of school suspension, the Superintendent or designee shall invite a representative from the Department of Human Services to consult with the Board. The hearing officer shall report to the Board and provide a written summary of the evidence heard at the meeting. After its hearing or upon receipt of the written report of its hearing officer, the Board may take such action as it finds appropriate. If the suspension is upheld, the Board's written suspension decision shall detail the specific act of gross disobedience or misconduct resulting in the decision to suspend as well as a rationale as to the specific duration of the suspension.

#### **H. Review Hearing Procedure**

1. The review hearing shall be held at a time convenient to the parents/guardians and to school administration
2. The hearing officer shall act as the presiding officer
3. The school administration shall proceed first and the student may then proceed
4. All participants shall be subject to inquiry by both parties
5. The review proceedings will always be held in private
6. The hearing officer may record the proceedings.
7. The hearing officer will conduct the review. The hearing officer must issue a written report of their findings, including a summary of the evidence and testimony provided by each party, to the Board of Education.
8. At the meeting the Board shall review the written report and take such action as it deems appropriate.
9. If there is a pending request for a suspension review hearing when an expulsion is recommended, the review hearing and the expulsion hearing will be consolidated into one hearing.

10. Board action will establish:

- a. The validity of the charges of gross misconduct or disobedience; and
- b. The appropriate disciplinary measures, if the charges are upheld.

If the out of school suspension is reversed by the Board of Education, the student's record shall be expunged of all notations or remarks regarding the suspension. Students who are suspended can, and are expected to, make up all missed school work assigned during the suspension.

## ***XII. STUDENT EXPULSION GUIDELINES***

Per [Board Policy 7:210](#), *Expulsion*, the Board of Education is authorized to expel students with or without services who are guilty of gross disobedience or misconduct for a period not to exceed two (2) full calendar years.

**A. Expulsion Guidelines** - The student and/or parent/guardian shall be due the following procedural protections:

**1. Written Notice** - Prior to expulsion, a student shall be provided written notice to appear at a hearing to determine whether the student should be expelled. The Board shall provide written notice to the parent/guardian by registered or certified mail, return receipt requested. The notice shall include:

- a. The time, date and place of the hearing.
- b. A brief description of what will happen during the hearing.
- c. Detail of the specific act of gross disobedience or misconduct resulting in a decision to recommend expulsion.
- d. A statement that the School Code allows the School Board to expel a student for a definite period of time not to exceed two (2) calendar years, and determined on a case-by-case basis.
- e. Ask that the student or parent/guardian or attorney 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. Hearing** - The hearing shall be conducted by the School Board or a Board-appointed hearing officer. At the hearing, the board or hearing officer shall state the reasons for dismissal and the date on which the proposed expulsion is to become effective. 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 Department of Human Services to consult with the Board.

**3. Evidence** - 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:

- a. 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
- b. evidence of the threat or disruption posed by the student.

The student and their 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. Board Action** - 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 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.

In addition to the procedures set forth above, the expulsion of special education students shall comply with requirements of the Individuals with Disabilities Education Improvement Act, 20 U.S.C. S 1400 et.seq. and [Board Policy 7:230](#), *Misconduct by Students with Disabilities*.

Students who are not enrolled in the district may not be allowed to receive credit from Oswego Community School District 308 during a period of expulsion. Students are not allowed on school property or to attend school-sponsored activities during the expulsion period.

## ***XIII. CODE OF CONDUCT: Athletic and Extracurricular Activities***

Per [Board Policy 6:190](#), *Extracurricular and Co-Curricular Activities* and [Board Policy 7:300](#), *Extracurricular Athletics*, [Board Policy 7:240](#), *Code for Participants in Extracurricular Activities*, extra-curricular and interscholastic activities are



strictly voluntary. Those who participate must give extra time and effort. The student has the privilege of participating in a well-organized program for which the school provides coaches, sponsors, equipment, and facilities. Oswego Community School District 308 expects exceptional conduct from those who try out and participate in these athletic/activity programs. Student participants must conduct themselves as good citizens and exemplars of their schools at all times, twelve months of the year while in and out of season. It applies at all times including both school related and unrelated activities and events. The district particularly expects student participants to meet high standards with regard to academic requirements, honesty, school citizenship, and sportsmanship. Students whose behavior or conduct does not meet this standard will lose the privilege of participating in district-sponsored or organized athletic/activity programs. School-sponsored or supported athletic and extra-curricular activities include, but are not limited to: all activities sanctioned by the IHSA. Co-curricular activities that are linked to a student's grade will not be considered a school-sponsored or supported athletic or extracurricular activity.

#### Student Parking Passes

The parking pass must be paid in full at the time of purchase and is not eligible to be placed on a payment plan.

### **A. Requirements for Participation**

- 1. Written consent** of a parent, guardian and/or student who is 18 years of age.
- 2. A current physical** (for athletics, band, step, sideline cheer, sideline dance, bass fishing). According to Illinois High School Association (IHSA) rules, a current physical is valid for 395 days. Therefore, typically a physical administered in summer will cover all sports.
- 3. Compliance with all rules and regulations of the IHSA and Oswego Community School District 308 Rights and Responsibilities**, including complying with random drug testing policy/procedures and [Board Policy 7:305, Student Concussion and Head Injury](#), preventative procedures and protocols.
- 4. Purchase of student school insurance** (for athletics only) unless waived by a parent/guardian.
- 5. Good academic standing** - A student shall be doing passing work in at least twenty-five (25) credit hours of high school work per week and must be taking a minimum of five classes. Students shall, unless they are entering high school for the first time, have credit in school records for twenty-five (25) credit hours of high school work for the previous semester. This means that as a minimum, students will need to pass five (5) classes per day, five (5) days per week which is equivalent to 25 credit hours per week, to be eligible to participate. A student must be passing 25 credit hours (25 credits) per semester to be eligible for the following semester. If a student is ineligible for six weeks during the season, the school reserves the right to remove them from the team.
- 6. Payment of fees** - User Fees (for athletics only) or an activity fee must be paid via Push Coin to the District prior to the first scheduled contest of each sport.

**B. Rules for Participants** - The Oswego Community School District 308 community is proud of individuals who represent them in interscholastic and extracurricular activities, and their reflection on the district and community at large. For this reason, a participant must agree to uphold the highest standards of behavior and decorum while agreeing to abide by the following rules during the school day and after school hours for twenty-four (24) hours a day, seven (7) days a week, twelve (12) months a year.

1. Participants will not possess or use tobacco (including chewing tobacco, any e-cigarette or vaping device)
2. Participants will not possess or use alcoholic beverages.
3. Participants will not possess THC or use any illegal drug or controlled substance.
4. Participants will not be involved in theft and/or the willful damage of equipment or property.
5. Participants will not host a party or have the participant's parent/guardian or family member host a party at which the following are permitted for minors: illegal consumption of alcohol, THC, use of controlled substances, steroids, or look-alike drugs.
6. Students will not be involved in gross misconduct or disobedience as defined in district's Student Rights and Responsibilities Code, which could result in an in-school or out-of-school suspension.
7. Any elected or chosen captain of his or her sport/activity will lose this title for the entire season for any violation of this Code of Conduct.

### **EXPLANATION AND UNDERSTANDING OF CONSEQUENCES**

Violations of the code of conduct will be reviewed on a case-by-case basis. Students who commit an offense that allows for the option of community service or a counseling program must have their service project or counseling center approved in advance by the school administration. Upon completion, they must submit a letter of completed hours or counseling from the director of the approved program. Service hours or counseling must be completed as directed in the specific category of consequence listed in this code of conduct. Offenses are counted in a step-up process from Category 1 to 4 and are not category specific in the accumulation per student, with the exception of Category 1 violations. Students who receive a third Category 1 violation, and who have had no other code violations in their career, are elevated to the second offense level in Category 3. Any student that reaches a fourth offense overall is subject to removal from all athletics and activities for the duration of their high school career.

### **(Category 1 Violation) CONSEQUENCES FOR TOBACCO ABUSE**

The consequences for violating this Code of Conduct shall be based on a student's participation in sanctioned athletics/activities during all four years of high school. Offenses and consequences are carried over from one sport/activity

to the next and from one school year to the next until the entire penalty is served. Furthermore, the student must finish the season in good standing. The school administration may, in its sole discretion, reduce the consequences on a case-by-case basis, as the interests and safety of the school require.

**First Offense:** The student shall be suspended for 10 percent of the athletic/activity full seasons scheduled contests/events for the current sport/activities including state series or playoffs as appropriate. (i.e. if the violation is 10 % and there are 20 games in the season then the student is suspended for two (2) games)

**Second Offense:** The student shall be suspended for 20 percent of the athletic/activity full seasons scheduled contests/events for the current sport/activities including state series and playoffs as appropriate. (i.e. if the violation is 20 % and there are 20 games in the season then the student is suspended for four (4) games)

**Third Offense:** Elevated to a second offense in Category 3 (see "CONSEQUENCES FOR ALL OTHER GENERAL VIOLATIONS")

#### **(Category 1 Violation continued) CONSEQUENCES FOR SOCIAL MEDIA VIOLATIONS -**

A student who is involved in extracurricular activities has social media activity that is found to be inappropriate in accordance with this policy may be subject to the following consequences:

- a. A written warning;
- b. A meeting with the Director of Athletics and Head Coach; and
- c. Penalties as determined by the athletic department, including but not limited to, possible suspension from his/her team, expulsion from their team and/or loss of some or all of his/her playing time.

#### **(Category 2 Violation) CONSEQUENCES FOR HAZING VIOLATIONS**

The District shall annually inform students, parents, coaches, sponsors, volunteers and district staff that hazing of district students is prohibited by means of:

- a. Distribution of written policy through inclusion in the student handbook;
- b. Verbal instructions by the coach or sponsor at the start of the season or program; and
- c. Posting of notice/signs.

#### Guidelines: Complaint Procedure

1. When a student believes that he/she has been subjected to hazing, the student shall promptly report the incident, orally or in writing, to the Building Principal.
2. Principal shall conduct a timely, impartial, thorough and comprehensive investigation of the alleged hazing.
3. Principal shall prepare a written report summarizing the investigation and recommending disposition of the complaint. Copies of the report shall be provided to the complainant, the accused and others directly involved, as appropriate. If the investigation results in a substantiated finding of hazing, the Principal shall recommend appropriate disciplinary action, as circumstances warrant, in accordance with the appropriate student discipline handbook. Additionally, the student, in accordance with the appropriate academic/extracurricular code, shall be subject to disciplinary action by the coach or sponsor, up to and including removal from the activity.

#### **(Category 3 Violation) CONSEQUENCES FOR ALL OTHER GENERAL VIOLATIONS**

The consequences for violating this Code of Conduct shall be based on a student's participation in sanctioned athletics/activities during all four years of high school. Offenses and consequences are carried over from one sport/activity to the next and from one school year to the next until the entire penalty is served. Furthermore, the student must finish the season in good standing. The school administration may, in its sole discretion, reduce the consequences on a case-by-case basis, as the interests and safety of the school require.

**First Offense:** The student shall be suspended for 25% of the athletic/activity full seasons scheduled contests/events for the current sport/activities including state series or playoffs as appropriate (i.e. if the violation is 25% and there are 20 games in the season then the student is suspended for five (5) games). Students who commit violations of the Code of Conduct may seek a reduction in their penalty for the first such offense during his or her career as follows:

1. If the student voluntarily admits to a coach/sponsor or athletic director/administrator, a violation of the Rules for Participants in the Code of Conduct either in person, via phone call or e-mail by 4 p.m. of the next official school day, the suspension may be reduced to 10% of the contests/activities.
2. If the student who does not voluntarily admit to the offense participates in and successfully completes a district-approved decision-making counseling program at his or her own expense, or provides proof of 10 hours of approved community service, the suspension may be reduced to 10% of the contests/activities.

**Second Offense:** The student shall be suspended from all Oswego Community School District 308 athletic/activity programs for 50% of the athletic/activity full seasons scheduled contest/events for the current sport/activities including state series or playoffs as appropriate (i.e. if violation is 50% with 20 games in the season, then the student is suspended for ten (10) games).

**Third Offense:** Students shall be suspended from all Oswego Community School District 308 athletic/activity programs for one (1) calendar year (12 calendar months).

**Fourth Offense:** A student who is found to have committed a fourth violation of the Code of Conduct shall be suspended from all Oswego Community School District 308 athletic/activity programs for the remainder of the student's high school career.



## **(Category 4 Violation) CONSEQUENCES FOR ALCOHOL, DRUGS, AND/OR OTHER CONTROLLED SUBSTANCES**

Possession or use of alcoholic beverages, any illegal drug or controlled substance by a participant.

**First Offense:** The student shall be suspended for 50% of the athletic/activity full season's scheduled contests/events for the current sport/activities including state series or playoffs as appropriate (i.e. if the violation is 50% and there are 20 games in the season then the student is suspended for ten (10) games). Students who commit violations of the Code of Conduct may seek a reduction in their penalty for the first such offense during their career as follows:

- a. If the student voluntarily admits to a coach/sponsor or athletic director/administrator, a violation of the Rules for Participants in the Code of Conduct either in person, via phone call or e-mail by 4 p.m. of the next official school day, the suspension may be reduced to 25% of the contests/activities.
- b. If the student who does not voluntarily admit to the offense participates in and successfully completes a district-approved decision making counseling program at his or her own expense, or provides proof of 20 hours of approved community service, the suspension may be reduced to 25% of the contests/activities.

**Second Offense:** The student shall be suspended from all Oswego Community School District 308 athletic/activity programs for 50% of the athletic/activity full seasons scheduled contest/events for the current sport/activities including state series or playoffs as appropriate. (i.e. if violation is 50% with 20 games in the season, then the student is suspended for ten (10) games).

**Third Offense:** Students shall be suspended from all Oswego Community School District 308 athletic/activity programs for one (1) calendar year (12 calendar months).

**Fourth Offense:** A student who is found to have committed a fourth violation of the Code of Conduct shall be suspended from all Oswego Community School District 308 athletic/activity programs for the remainder of the student's high school career.

- a. Participants arrested for driving under the influence of alcohol or controlled substance will receive a one-year (12 calendar months) suspension from the district's athletic/activity programs. This consequence may not be reduced through voluntary notification to the district or participation in a counseling program or community service as described above.
- b. Participants who host a party where alcohol, controlled substances, steroids, or look-alike drugs are served to minors will receive a one-year (12 calendar month) suspension from the district's athletic/activity programs. This consequence may not be reduced through voluntary notification to the district or participation in a counseling program as described above.

**Process for Issuing Penalties and Consequences** - Students who are alleged to have violated this Code of Conduct shall meet with the school's athletic/activity director to explain the incident prior to any consequence being applied. Students and parents/guardians who wish to appeal a consequence administered under this Code may seek a review of the athletic/activity director's determination and consequence by filing a written request for review with the principal within five (5) calendar days of the determination of the consequence. The principal or designee shall convene a meeting with the student and his or her parent/guardian to allow the student and parent/guardian to offer an explanation, and/or demonstrate that the Code was not violated. The decision of the building principal shall be final for first through third offenses. Upon violation of a fourth offense, students and parents/guardians may choose to appeal the decision of the building principal to the Superintendent or designee.

**SD308 Random Drug Testing Policy** - The District maintains an extracurricular drug and alcohol testing program in order to foster the health, safety, and welfare of its students. Participation in extracurricular activities is a privilege and participants need to be exemplars. The program promotes healthy and drug-free participation. Each student and his or her parent(s)/guardian(s) must consent to random drug and alcohol testing in order to participate in any extracurricular activity. Failure to sign the District's "Random Drug and Alcohol Testing Consent" form will result in non-participation. If a test is "positive," the student will not participate in extracurricular activities until after a "follow-up" test is requested by the Principal or designee and the results are reported. The Principal or designee will request a "follow-up" test after such an interval of time that the substance previously found would normally be eliminated from the body. If this "follow up" test is negative, the student will be allowed to resume extracurricular activities. If a "positive" result is obtained from the "follow-up" test, or any later test, the same previous procedure shall be followed. No student shall be expelled or suspended from school as a result of any verified positive test conducted under this program other than when independent reasonable suspicion of drug and/or alcohol usage exists. This program does not affect the District policies, practices, or rights to search or test any student who at the time exhibits cause for reasonable suspicion of drug and/or alcohol use.

**IHSA Performance Enhancing Drug Testing Policy** - As a prerequisite to participation in IHSA athletic and school sponsored activities, all participants must agree not use performance-enhancing substances as defined in the IHSA Performance-Enhancing Drug Testing Program Protocol. Students may be asked to submit to testing for the presence of performance-enhancing substances and must agree to submit to such testing and analysis by a certified laboratory. Also, results of the performance-enhancing substance testing may be provided to certain individuals in the high school as specified in the IHSA Performance-Enhancing Drug Testing Program Protocol which is available on the IHSA website at [www.IHSA.org](http://www.IHSA.org). Results of the performance-enhancing substance testing will be held confidential to the extent required by law. Students who fail to provide accurate and truthful information could be subject to penalties as determined by IHSA. A complete list of the current IHSA Banned Drug Classes can be accessed at:

[http://www.ihsa.org/initiatives/sportsMedicine/files/IHSA\\_banned\\_substance\\_classes.pdf](http://www.ihsa.org/initiatives/sportsMedicine/files/IHSA_banned_substance_classes.pdf)