

Rogers Academy
EMOTIONAL/BEHAVIORAL SUPPORT PROGRAM
Tazewell-Mason County Special Education Association
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ADMINISTRATIVE

VISION

Rogers Academy is a model public day school program that will equip students with emotional and social competence, which is vital to the realization of personal and academic goals and the creation for the foundation of a healthy individual for success in the community.

MISSION STATEMENT

At Rogers Academy, we are committed to providing high quality special education instruction and services to meet the unique needs of each student. We strive to provide a pathway to graduation for our students through evidence-based innovative academic, social-emotional, and vocational practices. We believe in a highly collaborative approach to providing these services.

PROGRAM OVERVIEW

Rogers Academy offers an opportunity for students to learn how to cope with their emotions, and manage their behavioral responses to those emotions in alternative and constructive ways with the overall goal of self-control. Students with an eligibility of Emotional/Behavioral Disorder, or other disability with a significant behavioral or emotional component, enter the program once their IEP team has determined the student's needs and goals warrant the placement. Some students enter due to a lack of success in their home school or district while others are transferred to the program after demonstrating success in a more restrictive placement. Each classroom has a student enrollment limit; the administrative team will utilize ISBE's class size requirements in conjunction with assessing individual student needs and classroom dynamics to make a final determination regarding total student enrollment. Each classroom is staffed with a certified teacher and teacher assistant(s). Students are provided opportunities through restorative justice practices to learn empathy, how their behavior impacts others, and how to rebuild trust in relationships.

STUDENTS SERVED

Rogers Academy may be considered for qualifying students residing within a TMCSEA member district. Final decisions regarding student enrollment will be made by the student's IEP team.

THERAPEUTIC COMPONENTS

Rogers Academy's programmatic components include academic instruction at the functioning level of each student as well as supportive measures to promote emotional and behavioral growth.

Students are provided daily social-emotional learning (SEL) which encompass skills such as self-awareness, self-management, social awareness, interpersonal skills, coping skills, and responsible decision-making throughout the school year. In addition to group SEL lessons, students will also receive individual social work therapy, speech, PT, and/or OT depending on each individual student's IEP.

Rogers Academy will provide individualized behavior services for our students. Our behavior specialist will support building staff and students by developing individualized behavior plans for each student and ensuring each plan is implemented with fidelity.

REFERRAL PROCEDURES

The home district IEP team will follow the Rogers Academy referral procedures:

1. Consider reevaluation to review eligibility, complete a FBA, and update the BIP
2. Collect data on the BIP (6-8 weeks of data including altered interventions)
3. DLSEA will submit the Student Request for Service form to kbehrends@tmcsea.org
4. The following documents will be submitted to the Rogers administrative/referral team
 - a. Request for Service Indicating the need for "Satellite ED Program Consultation"
 - b. Current IEP and most recent evaluation, FBA, and BIP
 - c. Data, including BIP and physical management data (# of restraints, elopement, seclusion, and police involvement).
 - d. Discipline records including disciplinary referrals, ISS, OSS, detentions, etc.
 - e. Medical history including current medications, diagnoses, and hospitalizations
5. In consideration of initial student placement, Rogers referral team will conduct a record review, and follow up with district regarding next steps, which may include scheduling a student observation
6. Rogers referral team will make a final determination regarding student placement
7. Rogers administrator will complete a report identifying if the student's needs can be met
8. If the referral team agrees the TMCSEA Satellite ED Program would be a good fit, a representative of the program would attend the student's intake meeting.

STUDENT RIGHTS & RESPONSIBILITIES

Rogers Academy strives to provide rewarding experiences both academically and socially for our students. In order to ensure meaningful learning experiences, each student is entitled to certain rights and must also assume certain responsibilities.

STUDENT RIGHTS

- A. Enjoy an environment that promotes learning
- B. Have an opportunity to express opinions and ideas in an appropriate manner, time and place
- C. Be treated in a courteous and respectful manner
- D. Take pride in their class and school

STUDENT RESPONSIBILITIES

- A. Attend school daily
- B. Be prepared to learn by bringing materials and completed work to class
- C. Behave in an appropriate and acceptable manner

- D. Respect and cooperate with peers, school staff, and all others that you encounter at school
- E. Follow all school and safety rules
- F. Respect your property and the property of others
- G. Put forth your best effort in appearance, conduct, and school work

CODE OF ETHICS (D. Goleman)

Tolerance

I will accept people on their merits, regardless of nationality, race, religion, gender, or disability.

Integrity

I will be honest and fair in my dealings with other people. I will set high conduct standards for myself and will not let others control my actions.

Respect

I will hold the guidance and opinions of my teachers and mentors in high regard. I will be courteous and respectful of the rights of others.

Responsibility

I will fulfill my responsibilities and obligations to my parents/guardians, school, & community. I will be responsible for my actions at all times.

Friendliness

I will maintain a friendly attitude toward everyone.

Sportsmanship

I will be modest in victory and gracious in defeat.

Appearance

I will maintain high standards in my grooming and appearance recognizing that the way I dress influences the way I feel and act.

DAILY ROUTINES AND PROCEDURES

SCHOOL DAY

School Day Begins for Students	Student Dismissal	School Office Hours
8:15 a.m.	2:15 p.m.	8:00 a.m. - 4:00 p.m.

Car Riders will be walked to the front doors at 2:15 p.m. and supervised until safely in the vehicle.

Students must be escorted by a parent/guardian to the main office to sign the student in, when arriving at school late. The parent/guardian must sign the student out at the main office when leaving prior to the end of the school day.

ATTENDANCE

Regular attendance is directly related to a successful school experience. Attendance is also part of the student's permanent school record and can be a major consideration for future employers. **The Illinois State Board of Education requires attendance tracking for all schools.**

ATTENDANCE PROCEDURES

Any time a student cannot attend school, a parent or guardian must call the school. This should be done each day of the student's absence. If a phone is not available, a written note the following day from a parent/guardian, or doctor will be required.

- A full-day of attendance for students must be a minimum of five clock hours (300 minutes) of instruction.
- Students who receive less than 300 minutes of instruction, but at least 150 minutes of instruction, can be marked for a half-day of attendance. This means that if your student arrives after 9:15am or leaves prior to 1:15pm, this will count as a half day absence. In circumstances where a student misses more than 2.5 hours (150 minutes) of instruction, he/she must be marked absent for the entire day.

TYPES OF ABSENCES

Excused absences

- A. personal illness or injury
- B. serious illness or death in family
- C. medical or dental appointments
- D. family emergencies
- E. hospitalization
- F. out of school suspensions
- G. religious holiday (requested by parent/guardian)
- H. special circumstances approved by program administrator
- I. Mental and/or Behavioral Health Days

Unexcused absences

- A. truancy
- B. oversleeping
- C. tardiness without parent/guardian notification
- D. missing the school bus/lack of ride to school
- E. babysitting
- F. shopping trips, hair appointments, etc

PREARRANGED ABSENCES

Any time the parents/guardians know in advance their child will be absent from school due to family vacations (those unable to be scheduled to another time), court appearances, or other unavoidable circumstances not considered excused, the parent/guardian must contact the school office to notify them of the absence. It is the student's responsibility to make arrangements with each of their teachers regarding assignments prior to the pre-arranged absence.

MENTAL OR BEHAVIORAL HEALTH DAYS

Public Act 102-0321 expanded the range of exemptions for school attendance to include mental or behavioral health days as excused absences. Students are allowed to take up to five mental health or behavioral health days per year. A student is not required to provide a medical note and must be given the opportunity to make up any schoolwork during such absences. After a student utilizes the second mental health day, a school *may* refer the student to appropriate school support personnel as defined in the school code.

CHRONIC TRUANCY AND CHRONIC ABSENCE

Students who miss 5% (9 days) of school days without valid excuses are considered chronically truant and students who miss 10% (18 days) of school days with or without valid excuses are considered chronically absent. Rogers Academy administration will notify parents/guardians and the student's home districts of student absences every 5 days absent, excused or unexcused. Absences beyond 10 days will require a doctor's note upon the student's return or the absence will be considered "unexcused" and may result in a referral by the home district to the Truancy Office at the Regional Superintendent's office notifying them of possible chronic truancy. A contact will then be made to the parent/guardian by the Truancy Officer.

The only absences that will be considered excused for truancy students are the ones where the student is sent home by the school for illness or if there is medical documentation that the student was seen by a medical professional.

SCHOOL WORK FOR ABSENT STUDENTS

Students are expected to make-up all assignments and tests that were given during their absence regardless of the reason. For all absences, students are required to make-up work with assistance as needed.

PROCEDURE FOR LEAVING SCHOOL EARLY

A parent or guardian must make a request in writing, by phone, or in person in order for a student to leave school early. Please make these arrangements in advance whenever possible. The adult picking up the student must come to the school office and sign the student out.

If a student becomes ill at school, a parent or guardian will be contacted to make the necessary arrangements to have the student picked up by an adult. When transportation arrives, the designated adult must sign the student out at the school office.

Any adult picking-up a student MUST be included on the approved pick-up list form and provide identification upon request. No student will be released to an adult without written permission from a parent/guardian.

EARLY DISMISSAL AND SCHOOL CLOSINGS

When weather or another emergency requires that school be dismissed early, or closed, the news media will be notified. Please refer to local media outlets for both the student's home school and TMCSEA/Rogers Academy. In the event of a school closing, the office will also notify parents/guardians via email.

ATTENDANCE AND PARTICIPATION IN SCHOOL EVENTS

In order for a student to participate in or attend a scheduled extra-curricular activity, she/he must be in attendance for at least ½ of the school day. Only the Director can make exceptions to this policy. To be eligible to participate in interscholastic athletics or extracurricular activities, a student shall be subject to the student's home district policies and constraints. For a copy of these regulations, please contact your home school district.

ARRIVAL AND DISMISSAL PROCEDURES

Students may enter the school no earlier than 8:15a.m. They are expected to go directly to their classroom or designated area upon arrival. Their classroom teacher will dismiss students at the end of the school day.

WITHDRAWAL FROM SCHOOL

Upon withdrawal from Rogers Academy, staff will forward all student records to the students' home district. Requests for student records should be directed to the home district.

PROGRAM OF INSTRUCTION/GRADES

Grade level instruction is aligned to state standards in Math, English, Language Arts, Science, Social Studies, and Elective areas. The High School curriculum parallels the basic offerings of local high school districts. A variety of classes are available to meet individual student needs as well as graduation requirements. Intensive academic interventions are provided to students who require additional instruction to increase academic skills, along with accommodations and modifications to the learning environment and curriculum. Technology is integrated into the learning environment to motivate students, teach technology skills, and provide alternative modes for learning and course options.

IEP GOALS

Throughout enrollment at Rogers Academy, students will be working on making progress toward goals that are designed during their Individualized Education Plan meetings. Case managers, social workers, psychologists, related service providers, and students will work together to design the goals to be addressed and tracked daily. At the end of each quarter, goals are reviewed and updated as needed.

TEXTBOOK POLICY

Basic textbooks are issued to students for their use during the school year. Books should be kept clean and handled carefully. Lost or damaged books must be paid for with payment based on the judgment of school personnel.

FIELD TRIPS

Field trips may be planned throughout the year as part of the educational and incentive program. Parents/guardians will be notified by the classroom teacher regarding dates, times, special clothing needs, sack lunches, etc.

GENERAL BEHAVIOR MANAGEMENT PROGRAM

POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS (PBIS)

Rogers Academy implements PBIS, a school-wide system of support that includes proactive strategies for defining, teaching, and supporting appropriate student behaviors to create a positive school environment. PBIS applies a multi-tiered system of instruction and intervention to identify areas (academically, behaviorally, social-emotional) to educate each student based on their individual needs.

BEHAVIORAL EXPECTATIONS

The Rogers Academy Public Day School program follows similar guidelines as set forth in the school-wide PBIS (Positive Behavioral Interventions and Supports). The school-wide expectations for all students are:

Be Respectful

Be Safe

Be Responsible

These expectations are taught and modeled on a daily basis within the school and classrooms. A behavior matrix is used to clearly define the expectations for every area of the building, including buses. Additionally, each student has individual behavioral expectations based on IEP goals.

POINT AND LEVEL SYSTEM

The point/level system is a motivational system for behavioral improvement. Students and staff consistently and continuously evaluate the student's achievement of behavioral expectations. The student's behavior is assessed throughout the day using a daily point sheet.

Points are earned based on expectations of the behavior matrix and individual IEP behavior goals. Each level of this system represents behavioral supports that are needed for the student to be successful. Students are expected to meet certain requirements for a specific period of time before moving up levels. As students meet level expectations consistently, their positive behaviors will help him/her become a more successful student.

Level systems are essentially an application of the principle of shaping, where the goal is self-management (i.e., developing personal responsibility for social, emotional, and academic performance). Kanfer and Zich (1974) suggested that self-management is the final outcome of a process involving self-monitoring, self-evaluation, and self-reinforcement, all of which are involved in level systems. A student's progress through the various levels of a level system depends on changes in his or her measurable behavior and achievement. As the student progresses through the levels, the behavioral expectations and privileges provided for acceptable behavior are altered toward the eventual goal of self-management (International Journal of Behavioral Consultation and Therapy Volume 3, No. 4, 2007).

Students will have a daily percentage goal that aligns with his/her current level and is based on student progress and achievement. Student achievement of behavioral expectations will be evaluated weekly or depending on current level. Based on average percentages achieved, movement between the levels will be determined. Requirements and privileges for each level are specified in the attached chart. Descriptions of the levels are as follows:

Level	Color	Percentage	Total Days
Level 1	Red	_____	_____
Level 2	Green	70	20
Level 3	Silver	80	20
Level 4	Gold	90	20

Intensive Behavior Program - Level 1 (individualized chart)

Provides the most intensive level of support. Students are on Level 1 when behavioral expectations are not met and/or safety concerns regarding the potential for harm has impacted the student and others. Behavioral expectations may be defined narrowly in terms of chronic absences or threat of harm, single incident of aggression or broadly due to cumulative harm related to chronic verbal or physical threats or forms of noncompliance impacting others' goal of learning or feeling safe.

Behavior Education Program - Level 2 (standard chart)

New students will enter the program starting at Level 2. This level focuses on consistent performance of positive behaviors in the development of self-management. Behaviors are taught, modeled, and reinforced using the school behavior matrix, each student's individual IEP goals and using increased access to privileges.

Generalization of the Behavior Education Program - Level 3 (standard chart)

Students at this level show consistency in their performance of positive behaviors in the development of self-management, school-wide behavioral expectations, and individual IEP goals. Students at this level are provided with increased opportunities to earn privileges and become leaders in the classroom.

Transition/Maintenance - Level 4 (self monitor/personal chart)

Students on Level 4 are working to maintain behavior expectations through a combination of self-monitoring and student/staff conferences and collaboration. The team will begin to remove components of the chart to teach self-monitoring skills. The team will begin discussion of transitioning the student to home school or Least Restrictive Environment.

INCENTIVES

All students will have the opportunity to earn incentives for demonstrating expected behaviors within the school environment. Staff will be looking for behaviors that they can positively acknowledge and reinforce.

QUARTERLY CELEBRATIONS

Each quarter students have an opportunity to earn a celebration by meeting established criteria. While on celebrations students roles and responsibilities remain the same and include any additional expectations placed by host facilities. Students who do not meet the established criteria will not be able to attend and instead will receive a typically scheduled school day.

Legal guardians who do not want their child to attend an earned celebration should keep their child home for the day. Any student who has earned the celebration, but is unable to attend for any reason, will receive an alternative incentive for their accomplishments.

SUPPORT ROOM

The LEAD Room fills 4 needs:

- I. **Learn** social emotional coping skills as an essential component of crisis prevention and intervention. Students are provided counseling opportunities and emotional support. Staff will provide instruction and practice opportunities in coping strategies needed for success in the classroom environment.

- II. **Educate:** Students are provided teaching time needed to participate and profit from the classroom curriculum.
- III. **Assess and Adapt:** Staff /students identify appropriate supports or adaptations needed in order to enter or re-enter the classroom successfully.
- IV. **Decisions:** Students who have disciplinary action taken may be required to use the LEAD room as an Alternative to Suspension (ATS) space. This is a short-term alternative to suspension setting with supervision provided by teaching staff. Students are provided time to reflect and make decisions related to disciplinary actions. The overarching goal of ATS is: Learn, Educate, Adapt and Decide how to respond to challenging situations appropriately.

ROGERS ACADEMY EXIT CRITERIA

Once students earn an average of 90% of their total points over 20 consecutive school days, and they meet the attendance and behavioral criteria associated with Level 4, Rogers Academy staff and the home district IEP team may consider transitioning the student back to their home district.

PROGRAM INTERVENTIONS & CONSEQUENCES

Each teacher has developed individual classroom expectations that align with program expectations. A summary of the classroom management system relevant to your student's placement will be provided upon student enrollment in the class. Incentives and consequences are modified according to the developmental level of each classroom. The Rogers Academy program strives to help students manage their behavioral issues through a series of intervention strategies.

1. Positive practice and reinforcement of appropriate behavior are the initial interventions that, through social skill instruction and frequent feedback using the classroom management system, shape more appropriate coping responses.
2. When student misbehavior persists and requires correction, points are deducted from the student's daily total. Each student's daily total maintained over a number of days determines the student's level.
3. If the student's inappropriate behavior is not corrected by point deductions and loss of privileges, the student may be directed to take a short break in the hallway followed by conference time with a teacher. If the student's inappropriate behaviors continue a teacher may direct the student to the LEAD room to allow the student the opportunity to regain composure and/or to remove the student from the adverse influence of peers or from a particular situation. The teacher uses a Life Space Interview process to successfully re-enter the student into the classroom and to help the student plan how to handle the next crisis more effectively.
4. Out-of-School Suspensions (OSS), are reserved for insubordination, gross misconduct towards students or school personnel, threats of aggression, acts of aggression, gang activities, and possession of illegal/controlled substances, or weapons.

It is important to note that the classroom team based upon severity, intensity, and considering individual factors determines consequences. If a situation arises that requires more intensive intervention, the team may bypass less intensive interventions judged to be inappropriate or ineffectual for that situation. Building administration will be involved in disciplinary procedures as needed.

PHYSICAL MANAGEMENT

Rogers Academy staff are formally trained in Crisis Prevention Institute (CPI) to ensure student and staff safety during crises. CPI training gives school professionals the tools to directly intervene in crisis situations through de-escalation techniques as well as restrictive and nonrestrictive interventions. This program allows physical restraint procedures to be used on an emergency basis, as a last resort, when a person's conduct poses an imminent risk of physical harm to self or others, and after less restrictive strategies have not achieved safety.

Despite support, problem behaviors can still occur, and the response of a teacher or an administrator to behavior that has the potential to threaten the well-being of a student or an adult is of paramount importance.

The accommodations and goals section of the IEP and behavior management plans provide opportunities to describe details such as target behaviors, replacement behaviors, positive interventions, and motivators/rewards. Parent input will be considered when developing behavioral interventions in an effort to facilitate consistency between home and school settings when appropriate.

Physical management and time outs are interventions of last resort and are applied judiciously in the rarest of situations.

Under PA 102-0339, physical restraint (excluding mechanical, chemical, and prone) may be used if the student's behavior presents an imminent danger of serious physical harm to the student or to others, and: 1. Other less restrictive measures have been ineffective in stopping the imminent danger, 2. There is no known medical contraindication to its use on the student, and 3. The staff member(s) applying the technique has been trained in accordance with 23 IAC 1.285(i).

Physical restraint will end immediately after the threat of imminent serious physical harm ends. Situations where staff have engaged in physical restraint of a student for up to 30 minutes will require an administrator, psychologist, or nurse to assess the situation to authorize the continuation of the restraint, or provide guidance on the initiation of new intervention(s) which may include calling parents to pick the student up from school and/or the involvement of emergency medical services.

Parents will be notified within 24 hours of any physical restraint. A restraint form will be completed and sent to parents within 1 business day and that documentation will also be submitted to the State Superintendent via the Student Information System within 2 school days. When a student experiences instances of physical restraint on any three days within a 30-day period, the team must initiate a review meeting of the effectiveness of the procedures used, a review of the student's functional behavior assessment, preparation of an individualized behavior plan for continued use of these interventions or the use of other specified interventions, and to consider the potential need for placement in an alternative program or change of placement.

TIME OUT/ISOLATED TIME OUT

Time out means the involuntary confinement of a student in a time out room outside of the regular classroom with a supervising adult. The door of the room will never have a locking mechanism nor the door be obstructed when a child is present. In cases of isolated time out, however, the student is placed alone in the room with a supervising adult monitoring the students actions and well-being

at all times through a window in the door. Isolated time out is only used under limited circumstances, specifically when the student presents an immediate danger to the safety and well-being of himself/herself or another person and is likely to cause physical harm to another student because they are unable to cease actively engaging in extreme physical aggression.

A staff member will immediately attempt to re-engage with a student when the potential for imminent danger ceases by entering the room or opening the door to remove the barrier between them. A student shall not be kept in isolated time out or time out for longer than is therapeutically necessary. However, in rare instances, a student may need a longer period of time to de-escalate. If a time out lasts longer than 15 minutes, a trained adult (Administrator, psychologist, or nurse) will be called to assess whether and when the student has ceased presenting the specific behavior necessitating the time out. While in isolated time out, students will never be denied medication, use of the restroom, or food/liquid at the time it would customarily be served.

Both time out and isolated time out is always monitored by 2 staff members. Parents will be notified within 24 hours of any time out or isolated time out. A time out form will be completed and mailed to parents within 1 business day and that documentation will also be submitted to the State Superintendent via the Student Information System located in the Illinois State Board of Education Web Application Security data reporting system within 2 school days. When a student experiences instances physical restraint on any three days within a 30-day period, the team must initiate a review meeting of the effectiveness of the procedures used, a review of the student's functional behavior assessment, preparation of an individualized behavior plan for continued use of these interventions or the use of other specified interventions, and to consider the potential need for placement in an alternative program or change of placement.

PARENTS RIGHTS FOLLOWING A RTO

The school will make a reasonable attempt to notify the student's parent or guardian on the same day, the isolated time out, time out, or physical restraint is imposed. Rogers Academy staff will also notify a representative from the student's home district as soon as possible, but no later than the end of the school day in which the intervention occurred. The following will be provided to parents within 1 business day following each instance of RTO: a copy of the completed State Time Out and Physical Restraint form, a copy of the standards for when isolated time out, time out, and physical restraint can be used, a copy of the Procedural Safeguards for parents/students with disabilities, and the State complaint process. Parents and/or guardians have 10 days to request a meeting about the incident. A requested meeting will occur within two school days of the parent/guardian request unless an extension is requested by the parent/guardian. At this meeting, the parent/guardian will be given the opportunity to discuss the following:

- The incident leading up to physical restraint, isolated time out, or time out.
- Actions taken by the school personnel prior to utilizing physical restraint, isolated time out, or time out.
- What occurred during the physical restraint, isolated time out or time out.
- Any actions that were taken after the physical restraint, isolated time out or time out.

BEHAVIOR POLICY AND PROCEDURE

Our goal is to teach our students to resolve conflict independently and work toward self-discipline. We use discipline to address inappropriate student behavior and set clear expectations for behavior moving forward.

Below are some examples of behavior that will not be tolerated at school or in transit to/from and will be subject to disciplinary measures:

- A. Hitting, pushing, or any other form of physical contact, including displays of affection
- B. Borrowing, buying, selling, or trading of items
- C. Bringing and/or using cigarettes, lighters, e-cigarettes, matches, chewing tobacco, and related items
- D. Possessing, using, or distributing illegal or dangerous objects(narcotics, drug paraphernalia, weapons, alcohol, pornography, etc)
- E. Using profanity, obscenity, or other forms of verbal or nonverbal abuse towards others
- F. Bringing gum, candy, drinks, and other food items without permission
- G. Bringing electronic devices and other related items for use at school without permission
- H. Throwing rocks, snowballs, or other objects at any time

NOTE: If a student leaves school grounds without permission, local authorities will be called.

Other behavior or conduct which violates the spirit or intent of these expectations, even though not explicitly stated, will be considered a violation.

Refer to Policy 7:190 Student Behavior in the Appendix.

STUDENT EXPECTATIONS

BEHAVIOR AT SCHOOL ACTIVITIES – ON AND OFF CAMPUS

School activities, including events held off campus, are an extension of our education program. The same standards of conduct apply when students attend these activities as during the school day.

CARE OF PROPERTY

Students are expected to use the building and its equipment and furnishings carefully, and keep the building and grounds neat and clean. For damage that is willful or deliberate, administration may either assess a fee or assign restitution by having the student complete work within the building. When appropriate, disciplinary action may also be initiated.

GENERAL APPEARANCE AND DRESS GUIDELINES

Good judgment in dress and grooming is an important part of the classroom environment and demonstrates a student is ready to learn and behave appropriately while at school. Students are free to accommodate their individual taste and preferences as long as their appearance does not disrupt the educational process or present a health/safety hazard to the educational community. The following guidelines clarify expectations:

- A. Clothing should extend from the top of the shoulders to mid-thigh and must include footwear
- B. No clothing or accessories which are offensive, immodest, or unsafe will be allowed

- C. No clothing with suggestive language and/or graphics involving alcoholic beverages, drugs/paraphernalia, tobacco products, firearms, weapons, or sexual activity will be allowed
- D. No hats or headgear
- E. No sunglasses unless prescribed by a doctor
- F. Any clothing creating a classroom disruption is not allowed
- G. No backpacks or purses

Backpacks, bookbags, purses or similar items are not allowed at Rogers Academy. Students are not given homework and the younger students have folders that can be used for papers that need to go home. If your child has the need for a personal item to come to school with them, for example personal hygiene products, our teachers and staff will work with him or her to find a private and safe location for items to be stored.

BUS/VAN RIDER RULES

Student behavior on the bus is governed by the guiding principles defined under Student Rights and Responsibilities: Program staff will work with the local home district to determine what disciplinary actions may be taken for violation of safety/behavior rules.

INTERNET ACCEPTABLE USE

Rogers Academy provides its employees and students (“users”) with access to computing equipment, systems, and local network functions. All use of the internet shall be consistent with program goals of promoting educational progress by facilitating resource sharing, innovation, and communication. A separate and detailed Acceptable Use Policy is included in student registration materials. Failure to follow these procedures will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

Refer to Policy 6:235 Access to Electronic Networks in the Appendix.

CELL PHONES AND OTHER ELECTRONIC DEVICES

Using a cell phone or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in bathrooms, cheat, or otherwise violate student conduct rules. Prohibited conduct specifically includes, without limitation, creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device, or cell phone. All electronic devices must be submitted to staff upon entering the building. Student devices will be kept powered-off or silenced and stored in a locked cabinet for the duration of the school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student’s individualized education program (IEP); or (c) it is needed in an emergency that threatens the safety of students, staff, or other individuals.

No student, for any reason, is to use his/her cell phone to make arrangements to go home. If a student needs to go home because of an illness, the student should get a pass from his/her teacher and go to the Office. All other calls home will be at the discretion of and based upon a mutual agreement between Rogers Academy staff and parent(s).

UNACCEPTABLE BEHAVIORS

BULLYING AND HARASSMENT POLICY

Rogers Academy is committed to creating a safe and supportive learning environment for all students. Therefore, 105 ILCS 5/27-23.7 prohibits and administration will not tolerate any instances of bullying, intimidation, or harassment due to a person’s race, physical appearance, gender,

nationality, religion, sexual orientation, physical/mental disabilities, socioeconomic status, academic status, pregnancy, parenting status, or homelessness.

Bullying is any severe, pervasive, verbal act or conduct, including communications made in writing or electronically (on school premises or the threat is related to school), directed toward a student over a period of time that has or can be reasonably predicted to have the effect of: 1. Placing the student in harm; 2. Causing effect on the student's physical or mental health;

3. Interferes with the student's academic performance; 4. Interferes with the student's ability to participate in or benefit from the services, activities, or privileges provided by the school.

Examples of prohibited conduct include, without limitation, any use of violence, intimidation, force, noise, coercion, threats, stalking, sexual harassment, public humiliation, theft, destruction of property, retaliation, hazing, and/or bullying through the transmission of information from a school computer, a school computer network, or similar electronic school equipment.

Students who believe they are victims of bullying or are a witness of bullying incidents will have the option to discuss the matter with a preferred teacher, administrator, or other school support staff so appropriate action can be taken. Complaints will be kept confidential to the extent possible given the need to investigate. Students who make good-faith complaints will not be disciplined, even if the school's investigation concludes that no bullying occurred.

Consistent with federal and state laws and rules governing student privacy rights, program administration shall inform the parent(s)/guardian(s) of every student involved in an alleged incident of bullying or self-harm within 24 hours after school administration is made aware of the students' involvement. Additionally, administration will discuss, as appropriate, the availability of social work services, counseling, school psychological services, and/or other interventions and restorative measures that are available to the student.

Program administration shall promptly investigate and address reports of bullying by:

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

A reprisal or retaliation against any person who reports an act of bullying is prohibited. A student's act of reprisal or retaliation will be treated as bullying for purposes of determining any consequences or other appropriate remedial actions.

Any student that is guilty of bullying could be subject to restorative measures, a continuum of school-based alternatives to suspension or expulsion. The measures are (i) adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, schools, and communities, and (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school. Parents of the student will be notified. Any student making a knowingly false accusation or providing knowingly false information will be treated as bullying for purposes of determining any consequences or other appropriate remedial actions and may also be subject to disciplinary consequences.

The following school administrator, along with all school staff are available to help with a bully or to make a report about bullying: **Complaint Manager: Adam Mangold, Program Coordinator, 109 Rogers Road North Pekin, IL 61554, (309)347-5164.**

Refer to Policy 7:180 Prevention of & Response to Bullying, Intimidation & Harassment in the Appendix.

CONTROLLED SUBSTANCE POLICY

- Tobacco products, including electronic smoking devices are prohibited on school property and at school events.
- Possession and/or use of tobacco products are forbidden on school property and at school events and will be punished.
- Possession and/or use of drugs or look-alike drugs, alcohol, and other intoxicants are expressly prohibited on school property and at school events.
- Possession, transfer, sale, or use (including being in an impaired state from use prior to coming onto school property or attending school events) of an alcoholic beverage, narcotic drug, marijuana, hallucinogenic drug, amphetamine, barbiturate, or other intoxicants will be punished. Since this is an illegal activity, proper authorities will be notified.

GANG AND GANG-RELATED ACTIVITIES

A "gang" is any group of two (2) or more persons whose purpose includes the commission of illegal or disruptive acts. All gang-related activities, including but not limited to, manner of dress, use of symbols or gestures, recruitment, harassment, intimidation, or retaliation are prohibited on school property and during all school activities. Students involved in any of these activities may be subject to school discipline and other legal action as deemed appropriate.

WEAPONS

Any weapon, or item that may be used as a weapon, will be confiscated. This would include certain items that have no place in school, such as knives of any sort (hunting, fishing, and buck knives). In addition, the individual(s) responsible for the weapon may be suspended or brought before the resident district Board of Education for possible expulsion.

POLICE INTERVENTION

Certain behaviors, which are not allowed in school, are also considered violations of federal and/or state laws or local ordinances. Students who are involved in the following acts may be subject to school disciplinary procedures and may be reported to the appropriate law enforcement agency for further action:

- A. Possession, use, sale, or delivery of drugs or alcohol
- B. Theft or possession of stolen property

- C. Assault or battery
- D. Destruction of property
- E. Arson
- F. Possession and/or use of weapons
- G. False reports of fire or explosive devices
- H. Other behavior which violates federal or state criminal codes or local ordinances

HEALTH, SAFETY AND WELLNESS

SUICIDE AND DEPRESSION AWARENESS AND PREVENTION

Youth suicide impacts the safety of the school environment. It also affects the school community, diminishing the ability of surviving students to learn and the school's ability to educate. Suicide and depression awareness and prevention are important to the staff at Rogers Academy. The following is a resource for any student experiencing suicidal ideations and/or depression: [Suicide and Depression Prevention](#). National Suicide Prevention Lifeline: 988 or 1-800-273-8255.

Refer to Policy 7:290 Suicide & Depression Awareness & Prevention in the Appendix.

BUILDING SECURITY/VISITORS

For the safety of our students, all exterior doors are locked during the school day. All school visitors are required by law to report to the school office upon arrival, sign in and receive a name tag before going to the classroom. Advance notice of a visit is requested as a courtesy and to avert schedule conflict.

EMERGENCY PROCEDURES

Each teacher is given a Crisis Response Guide, which outlines all procedures for various emergencies.

FIRE DRILLS, TORNADO DRILLS, & DRUG SEARCHES

Fire drills, tornado drills, and searches for illegal drugs are held periodically during the school year. Some are announced while others are unannounced. All students and adults must follow protocol during these drills. Students and teachers have very specific responsibilities during the drills. In any emergency, complete cooperation with staff instructions are essential. All procedures must be followed for the safety of everyone. If school personnel are alerted to a tornado at dismissal time, it will be necessary to keep students at school until an "all clear" notification is received.

EMERGENCY PARENT CONTACT INFORMATION

Parents/guardians will be notified if a student becomes ill or has an accident at school. A parent/guardian will be required to pick the student up. If it is not possible to contact the parent/guardian, the emergency contact person designated on the registration form will be called. It is imperative that this information be accurate. Parents/guardians should notify the school at any time during the year if there are any changes in address, phone numbers, or names of emergency persons or physicians, or if there is a change in their place of employment.

MEDICATION AT SCHOOL

Students may not possess or use any medications at school except as indicated. The school will not provide any medications with the exception of Tylenol or Ibuprofen with parent consent. If a student must take prescription or non-prescription medication during school hours, it will be administered under the supervision of licensed registered nursing staff. In the event that the school nurse is out of the building, a properly trained administrator will give the medications to students.

Records are kept on the dispersal of all medication including the students name, date, and administrator. A written request, completed by the physician and parent/guardian must be on file. The appropriate form is included in your enrollment packet and additional copies are available in the school office.

All prescription medications brought to the school must be in their original containers labeled by the pharmacist or physician. Non-prescription medication should also be sent in the original container. It is requested that an adult bring the medication to school if possible, or send a signed note along with the medication to school with your child. Medication will be kept locked in a locked cabinet at all times.

PHYSICAL EXAMS, IMMUNIZATIONS & DENTAL EXAMINATIONS

Your student's physical, dental, and vision exams are due prior to the first day of school. Illinois law requires all students entering kindergarten, sixth, or ninth grade, and all transfer students to have a physical examination within the last year. All transfer students must meet the State of Illinois health requirements. The student health history and immunization record must be completed before the physical examination form will be accepted.

Students must have immunization for DPT, polio, mumps, measles, and rubella. The Illinois School Code states: "If a child does not comply, the school shall exclude that child from school until the child provides proof of having had the exam and/or those required immunizations which are medically possible to receive immediately." A dental examination is required as part of the child's total health program for kindergarten, second and sixth grade students. Vision exams for kindergarten and all new students in the program. Requirements for immunizations and dental examinations shall be per either the resident district board policy and procedures or Illinois School Code.

VISION & HEARING SCREENINGS

All students are given a vision and hearing screening annually. If the screening indicates that a student should receive a more extensive examination by a physician, the parent/guardian will be notified.

LICE/NIT POLICY

Depending on the severity, students found to have head lice or nits while at school will either have their head-to-head contact limited with others in the school building, or be asked to stay home while the lice and/or nits are treated. If a child suffers a lice infestation, the parent/guardian should check with their physician and/or the Health Department for the proper treatment. The student may then return to school after treatment has killed all live lice.

FOOD ALLERGY MANAGEMENT

In the event that a student has a food-related allergy, the school nurse will collaborate with the student's family, physician, school staff and administration to put an individualized plan into place. An emergency action plan (EAP) will be obtained from the physician outlining how to respond in the event of an anaphylactic reaction; including administration of medications, contacting emergency personnel, notifying the legal guardian and using an auto-injector (Epi-Pen) if necessary. Adult and pediatric auto-injectors are to be kept in both the nurse's office and in the cafeteria at all times. In the event of a severe anaphylactic reaction requiring the use of an auto-injector, emergency personnel will be called immediately. All plans put into place will align with the IL Dept of Public Health publication: *Guidelines for Managing Life-Threatening Food Allergies in Schools*.

ASTHMA MANAGEMENT

Any student diagnosed with asthma may carry an inhaler prescribed by their physician on their person during the school day. Additional inhalers provided by the family will be kept in the nurse's office. Any student with asthma or a significant history of asthma in the past should have a physician-signed asthma action plan on file with the nurse at the beginning of the school year. Contact the school nurse if you need to obtain a copy of this form.

COMMUNICABLE AND INFECTIOUS DISEASES

Students known to have chronic infectious diseases as defined by the Illinois Department of Public Health will be individually evaluated in order to determine if their behavior or physical conditions pose a high risk of the spread of disease. The school nurse will work with health officials, the family physician, and IEP team to establish the most appropriate education program for a student identified as having an infectious disease.

MONITORING EQUIPMENT

In order to ensure the health, safety, security, and welfare of all students and building staff the school reserves the right to install and use surveillance equipment throughout the entire school campus (excluding private areas, such as restrooms and locker rooms) or on School District buses. Such surveillance equipment would include videotaping or recording systems. The surveillance system and recordings will be used by the School District for health, safety, security, and welfare purposes, but may also be used as evidence in a disciplinary proceeding. In the case of criminal proceedings, the recordings may be turned over to law enforcement authorities for such purposes.

STUDENT SEARCH AND SEIZURE

We must remain hypervigilant in our efforts to maintain student safety while they are in our care. Students are unable to learn if they don't feel safe. For these reasons, students will be required to remove all jackets, hoodies, sweatshirts, hats, clothing accessories and/or the like upon entry to school each day. These, along with their shoes, will be searched by a staff member for items listed in the handbook as being prohibited from school property. Additionally, if a student brings a cold lunch to school, that lunch bag will also be searched. The use of a walk-through metal detection device will also be used as students enter the school.

School personnel with or without the consent of the student may search student property or the student. A search is justified when there is reasonable grounds for suspecting the search of a particular student will turn up evidence that the student has violated or is violating the law or the rules of the school.

Refer to Policy 7:140 Search & Seizure in the Appendix.

ABUSE AND NEGLECT CHILD REPORTING ACT

Section 4 of the Abuse and Neglected Child Reporting Act states: "Any . . . school personnel . . . having reasonable cause to believe a child known to them in their professional capacity may be an abused child or neglected child shall immediately report or cause a report to be made to the Department of Child and Family Services (DCFS).

Refer to Policy 5:90 Abused & Neglected Child Reporting in the Appendix.

SEX OFFENDER REGISTRATION

Under the Sex Offender Community Notification Law, schools are required to notify parents that information about sex offenders is available to the public. The sex offender information is available at the following website: <https://isp.illinois.gov/Sor/Disclaimer>

TITLE IX SEXUAL HARASSMENT COMPLAINT

Tazewell-Mason Special Education Association does not discriminate on the basis of sex in any of its education programs or activities, and it complies with Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations (34 C.F.R. Part 106) concerning everyone in TMCSEA's education programs and activities, including applicants for employment, students, parents/guardians, employees, and third parties. Individuals alleging sexual harassment should inform the TMCSEA Title IX Coordinator.

"Sexual harassment" as defined in Title IX ("Title IX Sexual Harassment") is prohibited. A person 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. Conditioning 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 TMCSEA's educational program or activity; or
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)(10), domestic violence as defined in 34 U.S.C. §12291(a)(8), or stalking as defined in 34 U.S.C. §12291(a)(30)

A formal complaint should be made to the TMCSEA Title IX Coordinator/Nondiscrimination Coordinator for TMCSEA/Schramm Educational Center:

Laura Stuff
lstuff@tmcsea.org
(309) 346-1186

Refer to Policy 2:265 Title IX Sexual Harassment Grievance Procedure in the Appendix.

PESTICIDE APPLICATION NOTICE

Rogers Academy maintains a registry of parents/guardians of students who have registered to receive written or telephone notification prior to the application of pesticides to school grounds. To be added to the list, please contact the school office during regular business hours. Notification will be given before application of the pesticide. Prior notice is not required if there is imminent threat to health or property.

ADDITIONAL INFORMATION

LOST AND FOUND

Lost items with the owner's name permanently marked on them will be more easily returned to the owner. Lost and found items are turned into the office.

LUNCH PROGRAM/CAFETERIA

Rogers Academy offers a breakfast and hot lunch program for all students. Parents may request lunch account information at any time by calling the Rogers Academy school office.

LUNCH RULES

Students are supervised at all times during lunch.

During lunch students should:

- A. Use appropriate table manners
- B. Remain seated until given permission
- C. Refrain from making loud noises, throwing food or other items, and other disruptive behavior

STUDENT RECORDS

A student school record is any writing or other recorded information concerning a student and by which a student may be identified individually that is maintained by a school or at its direction, or by a school employee, regardless of how or where the information is stored, except for certain records kept in a staff member's sole possession; records maintained by law enforcement officers working in the school; video and other electronic recordings that are created in part for law enforcement, security, or safety reasons or purposes; and electronic recordings made on school buses.

Refer to Policy 7:340 Student Records in the Appendix.

FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA)

The Family Education Rights and Privacy Act (FERPA) and the Illinois Student Records Act afford parents/guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's school records. They are:

- 1) The right to inspect and copy the student's education records within 15 school days of the day the school receives a request for access. The degree of access a student has to his or her records depends on the student's age. Students less than 18 years of age have the right to inspect and copy only their permanent record. Students 18 years of age or older may have access and copy rights to both permanent and temporary records. A parent/guardian or student should submit to the building administrator a written request that identifies the record(s) he or she wishes to inspect. The administrator will make arrangements for access and notify the parent/guardian or student of the time and place where the records may be inspected. ***These rights are denied to any person against whom an order of protection has been entered concerning the student.***
- 2) The right to request the amendment of the student's education records that the parent/guardian or eligible student believes is inaccurate, irrelevant, or improper. A parent/guardian or eligible student may ask the school to amend a record that is believed to be inaccurate, irrelevant, or improper. Requests should be sent to the Director and should clearly identify the record the parent/guardian or eligible student wants changed and the specific reason a change is being sought. If the school decides not to amend the record, the school will notify the parent/guardian or eligible student of the decision and advise his or her of their right to a hearing regarding the request for amendment. 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 permit disclosure of personally identifiable information contained in the student's educational records, except to the extent that the FERPA or Illinois School Student Records Act authorizes disclosure without consent. Disclosure without consent

is permitted to school officials with legitimate educational or administrative interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as attorney, auditor, medical consultant, or therapist); or any parent/guardian or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility. Upon request, the School discloses education records without consent to officials of another school district in which a student has enrolled or intends to enroll, as well as to any person specifically required by State or federal law. Before information is released to these individuals, the parents/guardians or eligible student will receive prior written notice of the nature and substance of the information, and an opportunity to inspect, copy, and challenge such records. Academic grades and references to expulsions or out-of-school suspensions cannot be challenged at the time a student's records are being forwarded to another school to which the student is transferring. Disclosure is also permitted without consent to: any person for research, statistical reporting or planning, provided that no student or parent/guardian can be identified; any person named in a court order; appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons; and juvenile authorities when necessary for the discharge of their official duties who request information before adjudication of the student.

- 4) The right to a copy of any school student record proposed to be destroyed or deleted. The permanent record is maintained for at least 60 years after the student transfers, graduates, or permanently withdraws. The temporary record is maintained for at least 5 years after the student transfers, graduates, or permanently withdraws. Temporary records that may be of assistance to a student with a disability who graduates or permanently withdraws, may, after 5 years, be transferred to the parent/guardian or to the student, if the student has succeeded to the rights of the parent/guardian. Student temporary records are reviewed every 4 years or upon a student's change in attendance centers, whichever occurs first.
- 5) The right to prohibit the release of directory information. Throughout the school year, the school may release directory information regarding students limited to:
 - Name
 - Address
 - Gender
 - Grade level
 - Birth date and place
 - Parent/guardian names, addresses, electronic mail addresses, and telephone numbers
 - 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
 - Academic awards, degrees, and honors
 - Information in relation to school sponsored activities, organizations, and athletics
 - Major (Field of Study)
 - Period of attendance in school

- 6) Any parent/guardian or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the Director within 30 days of the date of the notice.
- 7) The right contained in this statement: No person may condition the granting or withholding of any right, privilege or benefits or make as a condition of employment, credit, or insurance the securing by an individual of any information from a student's temporary record which such individual may obtain through the exercise of any right secured under State law.
- 8) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School 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, SW
Washington DC 20202-4605

INTERPRETER SERVICES

Any parent who is deaf or hard of hearing or does not typically communicate in English & who participates in an IEP or Section 504 meeting shall be entitled to an interpreter.

NOTICE OF NONDISCRIMINATION

Rogers Academy's academic, extracurricular, and vocational programs ensure that equal educational opportunities are offered to students regardless of race, color, national origin, age, sex, religion, sexual preference, or handicap. Questions in reference to any of these may be directed to the TMCSEA Director, at (309) 347-5164.

Refer to Policy 7:10 Equal Educational Opportunities in the Appendix.

DISCLAIMER: The following guidelines apply to the Rogers Academy classrooms. Please refer to your district handbook for information on policies or procedures not addressed in this document.

Appendix

2:260	Uniform Grievance Procedure
2:265	Title IX Sexual Harassment Grievance Procedure
5:90	Abused & Neglected Child Reporting
5:125	Personal Technology & Social Media; Usage & Conduct
6:50	School Wellness
6:235	Access to Electronic Networks
7:10	Equal Educational Opportunities
7:15	Student and Family Privacy Rights
7:20	Harassment of Students Prohibited
7:140	Search and Seizure
7:180	Prevention of & Response to Bullying, Intimidation, & Harassment
7:185	Teen Dating Violence Prohibited
7:190	Student Behavior
7:200	Suspension Procedures
7:270	Administering Medicines to Students
7:285	Anaphylaxis Prevention, Response & Management Program
7:290	Suicide & Depression Awareness & Prevention
7:340	Student Records

POLICY BOARD/EXECUTIVE COMMITTEE

2:260 Uniform Grievance Procedure

A student, parent/guardian, employee, or community member should notify any Cooperative Complaint Manager if he or she believes that the Policy Board, Executive Committee, Cooperative employees, or its agents have violated his or her rights guaranteed by the State or federal Constitution, State or federal statute, or policy, or have a complaint regarding any one of the following:

1. Title II of the Americans with Disabilities Act, 42 U.S.C. §12101 et seq.
2. Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., excluding Title IX sexual harassment complaints governed by policy 2:265, *Title IX Sexual Harassment Grievance Procedure*
3. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.
4. Individuals With Disabilities Education Improvement Act of 2004, [20 U.S.C. § 1400 et seq.](#)
5. Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq.
6. Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. §2000e et seq.
7. Sexual harassment prohibited by the State Officials and Employees Ethics Act, 5 ILCS 430/70-5(a); Illinois Human Rights Act, 775 ILCS 5/; and Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. (Title IX sexual harassment complaints are addressed under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*)
8. Breastfeeding accommodations for students, 105 ILCS 5/10-20.60
9. Bullying, 105 ILCS 5/27-23.7
10. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children
11. Curriculum, instructional materials, and/or programs
12. Victims' Economic Security and Safety Act, 820 ILCS 180
13. Illinois Equal Pay Act of 2003, 820 ILCS 112
14. Provision of services to homeless students
15. Illinois Whistleblower Act, 740 ILCS 174/.

16. Misuse of genetic information prohibited by the Illinois Genetic Information Privacy Act, 410 ILCS 513/; and Titles I and II of the Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff et seq.

17. Employee Credit Privacy Act, 820 ILCS 70/.

The Complaint Manager will first attempt to resolve complaints without resorting to this grievance procedure. If a formal complaint is filed under this policy, the Complaint Manager will address the complaint promptly and equitably. A student and/or parent/guardian filing a complaint under this policy may forego any informal suggestions and/or attempts to resolve it and may proceed directly to this grievance procedure. The Complaint Manager will not require a student or parent/guardian complaining of any form of harassment to attempt to resolve allegations directly with the accused (or the accused's parents/guardians); this includes mediation.

Right to Pursue Other Remedies Not Impaired

The right of a person to prompt and equitable resolution of a complaint filed under this policy shall not be impaired by the person's pursuit of other remedies, e.g., criminal complaints, civil actions, etc. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies. If a person is pursuing another remedy subject to a complaint under this policy, the Cooperative will continue with a simultaneous investigation under this policy.

Deadlines

All deadlines under this policy may be extended by the Complaint Manager as he or she deems appropriate. As used in this policy, *school business days* means days on which the Cooperative's main office is open.

Filing a Complaint

A person (hereinafter Complainant) who wishes to avail him or herself of this grievance procedure may do so by filing a complaint with any Cooperative Complaint Manager. The Complainant shall not be required to file a complaint with a particular Complaint Manager and may request a Complaint Manager of the same gender. The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with a student's parent(s)/guardian(s). The Complaint Manager shall assist the Complainant as needed.

For any complaint alleging bullying and/or cyberbullying of students, the Complaint Manager shall process and review the complaint according to Executive Committee policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy. For any complaint alleging sexual harassment or other violation of Executive Committee policy 5:20, *Workplace Harassment Prohibited*, the Complaint Manager shall process and review the complaint according to that policy, in addition to any response required by this policy.

Investigation Process

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The Complaint Manager shall ensure both parties have an equal opportunity to present evidence during an investigation. If the Complainant is a student under 18 years of age, the Complaint Manager will notify his or her parents/guardians that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law, this policy, or any collective bargaining agreement, (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

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

The Complaint Manager will inform, at regular intervals, the person(s) filing a complaint under this policy about the status of the investigation. Within 30 school business days after the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Director. The Complaint Manager may request an extension of time.

The Director will keep the Executive Committee informed of all complaints.

If a complaint contains allegations involving the Director or Policy Board or Executive Committee member(s), the written report shall be filed directly with the Executive Committee, which will make a decision in accordance with paragraph four of the following section of this policy.

Decision and Appeal

Within five school business days after receiving the Complaint Manager's report, the Director shall mail his or her written decision to the Complainant and the accused by registered mail, return receipt requested, and/or personal delivery as well as to the Complaint Manager. All decisions shall be based upon the *preponderance of evidence* standard.

Within 10 school business days after receiving the Director's decision, the Complainant or the accused may appeal the decision to the Executive Committee by making a written request to the Complaint Manager. The Complaint Manager shall promptly forward all materials relative to the complaint and appeal to the Executive Committee.

Within 30 school business days after an appeal of the Executive Committee's decision, the Committee shall affirm, reverse, or amend the Director's decision or direct the Director to gather additional information. Within five school business days after the Committee's decision, the Director shall inform the Complainant and the accused of the Committee's action.

For complaints containing allegations involving the Director or Policy Board and Executive Committee member(s), within 30 school business days after receiving the Complaint Manager's or outside investigator's report, the Executive Committee shall mail its written decision to the

Complainant and the accused by registered mail, return receipt requested, and/or personal delivery as well as to the Complaint Manager. This policy shall not be construed to create an independent right to a hearing before the Director or Executive Committee. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.

Appointing a Nondiscrimination Coordinator and Complaint Managers

The Director shall appoint a Nondiscrimination Coordinator to manage the Cooperative's efforts to provide equal opportunity employment and educational opportunities and prohibit the harassment of employees, students, and others. The Nondiscrimination Coordinator also serves as the Cooperative's Title IX Coordinator.

The Director shall appoint at least one Complaint Manager to administer this policy. If possible, the Director will appoint two Complaint Managers, one of each gender. The Cooperative's Nondiscrimination Coordinator may be appointed as one of the Complaint Managers.

The Director shall insert into this policy and keep current the names, office addresses, email addresses, and telephone numbers of the Nondiscrimination Coordinator and the Complaint Managers.

Nondiscrimination Coordinator:

Laura Stuff

300 Cedar St., Pekin, IL 61554

lstuff@tmcsea.org

309-346-1186

Complaint Managers:

Kari Behrends

Amber Ealey

Adam Mangold

Anne Risen

109 Rogers Road ,
North Pekin, IL
61554

300 Cedar St.,
Pekin, IL 61554

109 Rogers Road ,
North Pekin, IL 61554

300 Cedar St., Pekin,
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kbehrends@tmcsea.
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aealey@tmcsea.org

amangold@tmcsea.org

arisen@tmcsea.org

309-347-5164

309-347-5164

309-347-5164

309-347-5164

LEGAL REF.:

8 U.S.C. §1324a et seq., Immigration Reform and Control Act.

20 U.S.C. §1232g, Family Education Rights Privacy Act.

20 U.S.C. §1400, The Individuals with Disabilities Education Act.

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

29 U.S.C. §206(d), Equal Pay Act.

29 U.S.C. §621 et seq., Age Discrimination in Employment Act.

29 U.S.C. §791 et seq., Rehabilitation Act of 1973.

29 U.S.C. §2612, Family and Medical Leave Act.

42 U.S.C. §2000d et seq., Title VI of the Civil Rights Act.

42 U.S.C. §2000e et seq., Equal Employment Opportunities Act (Title VII of the Civil Rights Act).

42 U.S.C. §2000ff et seq., Genetic Information Nondiscrimination Act.

42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.

42 U.S.C. §12101 et seq., Americans With Disabilities Act.

105 ILCS 5/2-3.8, 5/3-10, 5/10-20, 5/10-20.5, 5/10-20.7a, 5/10-20.60, 5/10-20.69 5/10-20.75 (final citation pending), 5/10-22.5, 5/22-19, 5/24-4, 5/27-1, 5/27-23.7, and 45/1-15.

5 ILCS 415/10(a)(2), Government Severance Pay Act.

5 ILCS 430/70-5(a), State Officials and Employees Ethics Act.

410 ILCS 513/, Ill. Genetic Information Privacy Act.

740 ILCS 174/, Whistleblower Act.

740 ILCS 175/, Ill. False Claims Act.

775 ILCS 5/, Ill. Human Rights Act.

820 ILCS 180/, Victims' Economic Security and Safety Act; 56 Ill.Admin.Code Part 280.

820 ILCS 112/, Equal Pay Act of 2003.

820 ILCS 70/, Employee Credit Privacy Act, 70/10(b), and 70/25

23 Ill.Admin.Code §§1.240, 200.40, 226.50, and 226.570.

CROSS REF.: 2:105 (Ethics and Gift Ban), 2:265 (Title IX Sexual Harassment Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 6:120 (Education of Children with Disabilities), 6:140 (Education of Homeless Children), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:310 (Restrictions on Publications;

Elementary Schools), 7:315 (Restrictions on Publications; High Schools), 8:70 (Accommodating Individuals with Disabilities), 8:95 (Parental Involvement), 8:110 (Public Suggestions and Concerns)

EXECUTIVE COMMITTEE APPROVAL: January 12, 2022

POLICY BOARD APPROVAL: August 10, 2022

Tazewell-Mason Counties Special Ed Association

POLICY BOARD/EXECUTIVE COMMITTEE

2:265 Title IX Sexual Harassment Grievance Procedure

Sexual harassment affects a student's ability to learn and an employee's ability to work. Providing an educational and workplace environment free from sexual harassment is an important Cooperative goal. The Cooperative does not discriminate on the basis of sex in any of its education programs or activities, and it complies with Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations (34 C.F.R. Part 106) concerning everyone in the Cooperative's education programs and activities, including applicants for employment, students, parents/guardians, employees, and third parties.

Title IX Sexual Harassment Prohibited

Sexual harassment as defined in Title IX (Title IX Sexual Harassment) is prohibited. Any person, including a Cooperative employee or 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 Cooperative 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 Cooperative's educational program or activity; or
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)(11), *domestic violence* as defined in 34 U.S.C. §12291(a)(12), or *stalking* as defined in 34 U.S.C. §12291(a)(36).

Examples of sexual harassment include, but are not limited to, 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.

Definitions from 34 C.F.R. §106.30

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Education program or activity includes locations, events, or circumstances where the Cooperative has substantial control over both the *Respondent* and the context in which alleged sexual harassment occurs.

Formal Title IX Sexual Harassment Complaint means a document filed by a *Complainant* or signed by the Title IX Coordinator alleging sexual harassment against a *Respondent* and requesting that the Cooperative investigate the allegation.

Respondent means an individual who has been reported to be the perpetrator of the conduct that could constitute sexual harassment.

Supportive measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the *Complainant* or the *Respondent* before or after the filing of a *Formal Title IX Sexual Harassment Complaint* or where no *Formal Title IX Sexual Harassment Complaint* has been filed.

Title IX Sexual Harassment Prevention and Response

The Director or designee will ensure that the Cooperative prevents and responds to allegations of Title IX Sexual Harassment as follows:

1. This includes incorporating student social and emotional development into the Cooperative's educational program as required by State law and in alignment with Executive Committee policy 6:65, *Student Social and Emotional Development*.
2. Incorporates education and training for school staff pursuant to policy 5:100, *Staff Development Program*, and as recommended by the Director, Title IX Coordinator, Nondiscrimination Coordinator, or a Complaint Manager.
3. Notifies applicants for employment, students, parents/guardians, employees, and collective bargaining units of this policy and contact information for the Title IX Coordinator by, at a minimum, prominently displaying them on the Cooperative's website, if any, and in each handbook made available to such persons.

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, 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 a report may be disciplined, up to and including discharge.

The Director shall insert into this policy and keep current the name, office address, email address, and telephone number of the Title IX Coordinator.

Title IX Coordinator:

Laura Stuff
300 Cedar Street, Pekin, IL 61554
lstuff@tmcsea.org
309/346-1186

Processing and Reviewing a Report or Complaint

Upon receipt of a report, the Title IX Coordinator and/or designee will promptly contact the *Complainant* to: (1) discuss the availability of supportive measures, (2) consider the *Complainant's* wishes with respect to *supportive measures*, (3) inform the *Complainant* of the availability of *supportive measures* with or without the filing of a *Formal Title IX Sexual Harassment Complaint*, and (4) explain to the *Complainant* the process for filing a *Formal Title IX Sexual Harassment Complaint*.

Further, the Title IX Coordinator will analyze the report to identify and determine whether there is another or an additional appropriate method(s) for processing and reviewing it. For any report received, the Title IX Coordinator shall review Executive Committee policies 2:260, *Uniform Grievance Procedure*; 5:20, *Workplace Harassment Prohibited*; 5:90, *Abused and Neglected Child Reporting*; 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; 7:185, *Teen Dating Violence Prohibited*; and 7:190, *Student Behavior*, to determine if the allegations in the report require further action.

Reports of alleged sexual harassment will be confidential to the greatest extent practicable, subject to the Cooperative's duty to investigate and maintain an educational program or activity that is productive, respectful, and free of sexual harassment.

Formal Title IX Sexual Harassment Complaint Grievance Process

When a *Formal Title IX Sexual Harassment Complaint* is filed, the Title IX Coordinator will investigate it or appoint a qualified person to undertake the investigation.

The Director or designee shall implement procedures to ensure that all *Formal Title IX Sexual Harassment Complaints* are processed and reviewed according to a Title IX grievance process that fully complies with 34 C.F.R. §106.45. The Cooperative's grievance process shall, at a minimum:

1. Treat *Complainants* and *Respondents* equitably by providing remedies to a *Complainant* where the *Respondent* is determined to be responsible for sexual harassment, and by following a grievance process that complies with 34 C.F.R. §106.45 before the imposition of any disciplinary sanctions or other actions against a *Respondent*.
2. Require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations may not be based on a person's status as a *Complainant*, *Respondent*, or witness.
3. Require that any individual designated by the Cooperative as a Title IX Coordinator, investigator, decision-maker, or any person designated by the Cooperative to facilitate an informal resolution process:
 - a. Not have a conflict of interest or bias for or against complainants or respondents generally or an individual *Complainant* or *Respondent*.

b. Receive training on the definition of sexual harassment, the scope of the Cooperative's *education program or activity*, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially.

4. Require that any individual designated by the Cooperative as an investigator receiving training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

5. Require that any individual designated by the Cooperative as a decision-maker receive training on issues of relevance of questions and evidence, including when questions and evidence about the *Complainant's* sexual predisposition or prior sexual behavior are not relevant.

6. Include a presumption that the *Respondent* is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

7. Include reasonably prompt timeframes for conclusion of the grievance process.

8. Describe the range of possible disciplinary sanctions and remedies the Cooperative may implement following any determination of responsibility.

9. Base all decisions upon the *preponderance of evidence* standard.

10. Include the procedures and permissible bases for the *Complainant* and *Respondent* to appeal.

11. Describe the range of *supportive measures* available to *Complainants* and *Respondents*.

12. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Enforcement

Any Cooperative employee who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any third party who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be addressed in accordance with the authority of the Executive Committee in the context of the relationship of the third party to the Cooperative, e.g., vendor, parent, invitee, etc. Any Cooperative student who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with student behavior policies. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action.

This policy does not increase or diminish the ability of the Cooperative or the parties to exercise any other rights under existing law.

Retaliation Prohibited

The Cooperative prohibits any form of retaliation against anyone who, in good faith, has made a report or complaint, assisted, or participated or refused to participate in any manner in a proceeding under this policy. Any person should report claims of retaliation using Executive Committee policy 2:260, *Uniform Grievance Procedure*.

Any person who retaliates against others for reporting or complaining of violations of this policy or for participating in any manner under this policy will be subject to disciplinary action, up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

LEGAL REF.:

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

Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).

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

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 6:65 (Student Social and Emotional Development), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior)

EXECUTIVE COMMITTEE APPROVAL: January 11, 2023

POLICY BOARD APPROVAL: August 9, 2023

Tazewell-Mason Counties Special Ed Association

General Personnel

5:90 Abused and Neglected Child Reporting

Any Cooperative employee who suspects or receives knowledge that a student may be an abused or neglected child or, for a student aged 18 through 22, an abused or neglected individual with a disability, shall: (1) immediately report or cause a report to be made to the Ill. Dept. of Children and Family Services (DCFS) on its Child Abuse Hotline 1-800-25-ABUSE (1-800-252-2873)(within Illinois); 1-217-524-2606 (outside of Illinois); or 1-800-358-5117 (TTY), and (2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. Any Cooperative employee who believes a student is in immediate danger of harm, shall first call 911. The employee shall also promptly notify the Director or Program Coordinator that a report has been made. The Director or Program Administrator shall immediately coordinate any necessary notifications to the student's parent(s)/guardian(s) with DCFS, the applicable school resource officer (SRO), and/or local law enforcement.

Negligent failure to report occurs when a Cooperative employee personally observes an instance of suspected child abuse or neglect and reasonably believes, in his or her professional or official capacity, that the instance constitutes an act of child abuse or neglect under the Abused and Neglected Child Reporting Act (ANCRA) and he or she, without willful intent, fails to immediately report or cause a report to be made of the suspected abuse or neglect to DCFS.

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

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

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

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

All Cooperative employees shall:

1. Before beginning employment, sign the *Acknowledgement of Mandated Reporter Status* form provided by DCFS. The Director or designee shall ensure that the signed forms are retained.

2. Complete mandated reporter training as required by law within three months of initial employment and at least every three years after that date.
3. Complete an annual evidence-informed training related to child sexual abuse, grooming behaviors (including *sexual misconduct* as defined in *Faith's Law*), and boundary violations as required by law and policy 5:100, *Staff Development Program*.

Alleged Incidents of Sexual Abuse: Investigations

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

If a Cooperative employee reports an alleged incident of sexual abuse to DCFS and DCFS accepts the report for investigation, DCFS will refer the matter to the local Children's Advocacy Center (CAC). The Director or designee will implement procedures to coordinate with the CAC.

DCFS and/or the appropriate law enforcement agency will inform the Cooperative when its investigation is complete or has been suspended, as well as the outcome of its investigation. The existence of a DCFS and/or law enforcement investigation will not preclude the Cooperative from conducting its own parallel investigation into the alleged incident of sexual abuse in accordance with policy 7:20, *Harassment of Students Prohibited*.

Special Director Responsibilities

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

When the Director has reasonable cause to believe that a license holder (1) committed an intentional act of abuse or neglect with the result of making a child an abused child or a neglected child under ANCRA or an act of sexual misconduct under *Faith's Law*, and (2) that act resulted in the license holder's dismissal or resignation from the Cooperative, the Director shall notify the State Superintendent and the Regional Superintendent in writing, providing the Ill. Educator Identification Number as well as a brief description of the misconduct alleged. The Director must make the report within 30 days of the dismissal or resignation and mail a copy of the notification to the license holder.

The Director shall develop procedures for notifying a student's parents/guardians when a Cooperative employee, contractor, or agent is alleged to have engaged in sexual misconduct with the student as defined in *Faith's Law*. The Director shall also develop procedures for notifying the student's parents/guardians when the Board takes action relating to the employment of the employee, contractor, or agent following the investigation of sexual misconduct. Notification shall not occur when the employee, contractor, or agent alleged to have engaged in sexual misconduct is the student's parent/guardian, and/or when the student is at least 18 years of age or emancipated.

The Director shall execute the recordkeeping requirements of *Faith's Law*.

Special Policy Board/Executive Committee Member Responsibilities

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

If the Policy Board or Executive Committee determines that any Cooperative employee, other than an employee licensed under 105 ILCS 5/21B, has willfully or negligently failed to report an instance of suspected child abuse or neglect as required by ANCRA, the Policy Board or Executive Committee may dismiss that employee immediately.

When the Policy Board or Executive committee learns that a licensed teacher was convicted of any felony, it must promptly report it to the State agencies listed in policy 2:20, *Powers and Duties of the Policy Board*.

LEGAL REF.:

20 U.S.C. §7926, Elementary and Secondary Education Act.

105 ILCS 5/10-21.9, 5/10-23.13, 5/21B-85, 5/22-85.5, and 5/22-85.10.

20 ILCS 1305/1-1 et seq., Department of Human Services Act.

325 ILCS 5/, Abused and Neglected Child Reporting Act.

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

CROSS REF.: 2:20 (Powers and Duties of the Policy Board; Indemnification), 3:40 (Director), 3:50 (Administrative Personnel Other Than the Director), 4:60 (Purchases and Contracts), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Termination and Suspensions), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:20 (Harassment of Students Prohibited), 7:150 (Agency and Police Interviews)

EXECUTIVE COMMITTEE APPROVAL: June 14, 2023

POLICY BOARD APPROVAL: August 9, 2023

Tazewell-Mason Counties Special Ed Association

General Personnel

5:125 Personal Technology and Social Media; Usage and Conduct

Definitions

Includes - Means "includes without limitation" or "includes, but is not limited to."

Social media - Media for social interaction, using highly accessible web-based and/or mobile technologies that allow users to share content and/or engage in interactive communication through online communities. This includes, but is not limited to, services such as *Facebook, LinkedIn, Twitter, Instagram, TikTok, Snapchat, and YouTube*.

Personal technology - Any device that is not owned or leased by the Cooperative or otherwise authorized for Cooperative use and: (1) transmits sounds, images, text, messages, videos, or electronic information, (2) electronically records, plays, or stores information, or (3) accesses the Internet, or private communication or information networks. This includes computers, tablets, smartphones and other devices.

Usage and Conduct

All Cooperative employees who use personal technology and/or social media shall:

1. Adhere to the high standards for Professional and Appropriate Conduct required by policy 5:120, Employee Ethics; Code of Professional Conduct; and Conflict of Interest at all times, regardless of the ever-changing social media and personal technology platforms available. This includes Cooperative employees posting images or private information about themselves or others in a manner readily accessible to students and other employees that is inappropriate as defined by policies 5:20, Workplace Harassment Prohibited; 5:100, Staff Development Program; 5:120, Employee Ethics; Code of Professional Conduct; and Conflict of Interest; 6:235, Access to Electronic Networks; and 7:20, Harassment of Students Prohibited; and the Ill. Code of Educator Ethics, 23 Ill.Admin.Code §22.20.
2. Choose a Cooperative-provided or supported method whenever possible to communicate with students and their parents/guardians.
3. Not interfere with or disrupt the educational or working environment, or the delivery of education or educational support services.
4. Inform their immediate supervisor if a student initiates inappropriate contact with them via any form of personal technology or social media.
5. Report instances of suspected abuse or neglect discovered through the use of social media or personal technology pursuant to a school employee's obligations under policy 5:90, Abused and Neglected Child Reporting.
6. Not disclose confidential information, including but not limited to school student records (e.g., student work, photographs of students, names of students, or any other personally

identifiable information about students) or personnel records, in compliance with policy 5:130, Responsibilities Concerning Internal Information. For Cooperative employees, proper approval may include implied consent under the circumstances.

7. Refrain from using the Cooperative's logos without permission and follow policy 5:170, Copyright, and all Cooperative copyright compliance procedures.
8. Use personal technology and social media for personal purposes only during non-work times or hours. Any duty-free use must occur during times and places that the use will not interfere with job duties or otherwise be disruptive to the school environment or its operation.
9. Assume all risks associated with the use of personal technology and social media at school or school-sponsored activities, including students' viewing of inappropriate Internet materials through the Cooperative employee's personal technology or social media. The Executive Committee expressly disclaims any responsibility for imposing content filters, blocking lists, or monitoring of its employees' personal technology and social media.
10. Be subject to remedial and any other appropriate disciplinary action for violations of this policy ranging from prohibiting the employee from possessing or using any personal technology or social media at school to dismissal and/or indemnification of the Cooperative for any losses, costs, or damages, including reasonable attorney fees, incurred by the Cooperative relating to, or arising out of, any violation of this policy.

Director Responsibilities

The Director shall:

1. Inform Cooperative employees about this policy during the in-service on educator ethics, teacher-student conduct, and school employee-student conduct required by policy 5:120, Employee Ethics; Code of Professional Conduct; and Conflict of Interest.
2. Direct Program Coordinators to annually:
 - a. Provide their building staff with a copy of this policy.
 - b. Inform their building staff about the importance of maintaining high standards in their school relationships.
 - c. Remind their building staff that those who violate this policy will be subject to remedial and any other appropriate disciplinary action up to and including dismissal.
3. Build awareness of this policy with students, parents, and the community.
4. Ensure that neither the Cooperative, nor anyone on its behalf, commits an act prohibited by the Right to Privacy in the Workplace Act, 820 ILCS 55/10; i.e., the Facebook Password Law.
5. Periodically review this policy and any implementing procedures with Cooperative employee representatives and electronic network system administrator(s) and present proposed changes to the Executive Committee.

LEGAL REF.:

105 ILCS 5/21B-75 and 5/21B-80.

775 ILCS 5/5A-102, Ill. Human Rights Act.

820 ILCS 55/10, Right to Privacy in the Workplace Act.

23 Ill.Admin.Code §22.20, Code of Ethics for Ill. Educators.

Garcetti v. Ceballos, 547 U.S. 410 (2006).

Pickering v. High School Dist. 205, 391 U.S. 563 (1968).

Mayer v. Monroe County Community School Corp., 474 F.3d 477 (7th Cir. 2007).

CROSS REF.: 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff 5:125 5:125 Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:130 (Responsibilities Concerning Internal Information), 5:150 (Personnel Records), 5:170 (Copyright), 5:200 (Terms and Conditions of Employment and Dismissal), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:340 (Student Records)

EXECUTIVE COMMITTEE APPROVAL: June 14, 2023

POLICY BOARD APPROVAL: August 9, 2023

Tazewell-Mason Counties Special Ed Association

INSTRUCTION

6:50 School Wellness

Student wellness, including good nutrition and physical activity, shall be promoted in the Cooperative's educational program, school-based activities, and meal programs. This policy shall be interpreted consistently with Section 204 of the Child Nutrition and WIC Reauthorization Act of 2004 and the Healthy Hunger-Free Kids Act of 2010 (HHFKA).

The Director will ensure:

1. Each school building complies with this policy;
2. The policy is available to the community on an annual basis through copies of or online access to the Board Policy Manual; and
3. The community is informed about the progress of this policy's implementation.

Goals for Nutrition Education and Nutrition Promotion

The goals for addressing nutrition education and nutrition promotion include the following:

- Schools will support and promote sound nutrition for students.
- Schools will foster the positive relationship between sound nutrition, physical activity, and the capacity of students to develop and learn.
- Nutrition education will be part of the Cooperative's comprehensive health education curriculum.

Goals for Physical Activity

The goals for addressing physical activity include the following:

- Schools will support and promote an active lifestyle for students.
- Physical education will be taught in all grades and shall include a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health-related fitness, increases students' knowledge, offers direct opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle.
- During the school day, all students will be required to engage in a daily physical education course, unless otherwise exempted.
- The curriculum will be consistent with and incorporate relevant *Illinois Learning Standards for Physical Development and Health* as established by the Ill. State Board of Education (ISBE).

Goals for Other School-Based Activities

The goals for school-based activities include the following:

- Schools will support and promote a healthy eating environment for students.
- Schools will promote and participate in wellness activities.
- Schools will offer other school-based activities to support student health and wellness, including coordinated events and clubs.

Nutrition Guidelines for Foods Available During the School Day; Marketing Prohibited

Students will be offered and schools will promote nutritious food and beverage choices during the school day that are consistent with Executive Committee policy 4:120, *Food Services* (requiring compliance with the nutrition standards specified in the U.S. Dept. of Agriculture's (USDA) *Smart Snacks* rules).

In addition, in order to promote student health and reduce childhood obesity, the Director or designee shall:

1. Restrict the sale of *competitive foods*, as defined by the USDA, in the food service areas during meal periods;
2. Comply with all ISBE rules; and
3. Prohibit marketing during the school day of foods and beverages that do not meet the standards listed in Executive Committee policy 4:120, *Food Services*, i.e., in-school marketing of food and beverage items must meet *competitive foods* standards.

Competitive foods standards do not apply to foods and beverages available, but not sold in school during the school day; e.g., brown bag lunches, foods for classroom parties, school celebrations, and reward incentives.

Exempted Fundraising Day (EFD) Requests

All food and beverages sold to students on the school campuses of participating schools during the school day must comply with the "general nutrition standards for competitive foods" specified in federal law.

ISBE rules prohibit EFDs for grades 8 and below in participating schools.

The Director or designee in a participating school may grant an EFD for grades 9 through 12 in participating schools. To request an EFD and learn more about the Cooperative's related procedure(s), contact the Director or designee. The Cooperative's procedures are subject to change. The number of EFDs for grades 9 through 12 in participating schools is set by ISBE rule.

Guidelines for Reimbursable School Meals

Reimbursable school meals served shall meet, at a minimum, the nutrition requirements and regulations for the National School Lunch Program and/or School Breakfast Program.

Unused Food Sharing Plan

In collaboration with the Cooperative's local health department, the Director or designee will:

1. Develop and support a food sharing plan (Plan) for unused food that is focused on needy students.
2. Implement the Plan throughout the Cooperative.
3. Ensure the Plan complies with the Richard B. Russell National School Lunch Act, as well as accompanying guidance from the U.S. Department of Agriculture on the Food Donation Program.
4. Ensure that any leftover food items are properly donated to combat potential food insecurity in the Cooperative's community. *Properly* means in accordance with all federal regulations and State and local health and sanitation codes.

Monitoring

At least every three years, the Director shall provide implementation data and/or reports to the Executive Committee concerning this policy's implementation sufficient to allow the Executive Committee to monitor and adjust the policy (a triennial report). This triennial report must include without limitation each of the following:

- An assessment of the Cooperative's implementation of the policy
- The extent to which schools in the Cooperative are in compliance with the policy
- The extent to which the policy compares to model local school wellness policies
- A description of the progress made in attaining the goals of the policy
- How the Cooperative will make the results of the assessment available to the public
- Where the Cooperative will retain records of the assessment

The Executive Committee will monitor and adjust the policy pursuant to policy 2:240, *Board Policy Development*.

Community Involvement

The Executive Committee and Director will actively invite suggestions and comments concerning the development, implementation, periodic reviews, and updates of the school wellness policy from parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the Executive Committee, school administrators, and the community.

Community involvement methods shall align their suggestions and comments to policy 2:140, *Communications To and From the Board*.

Recordkeeping

The Director shall retain records to document compliance with this policy, the Cooperative's records retention protocols, and the Local Records Act.

LEGAL REF.:

Pub. L. 108-265, Sec. 204, Child Nutrition and WIC Reauthorization Act of 2004.

42 U.S.C. §1751 et seq., Richard B. Russell National School Lunch Act.

42 U.S.C. §1758b, Pub. L. 111-296, Healthy, Hunger-Free Kids Act of 2010.

42 U.S.C. §1771 et seq., Child Nutrition Act of 1966.

42 U.S.C. §1779, as implemented by 7 C.F.R. §§210.11 and 210.31.

50 ILCS 205/, Local Records Act.

105 ILCS 5/2-3.139 and 5/2-3.189.

23 Ill.Admin.Code Part 305, Food Program.

ISBE's *School Wellness Policy* Goal, adopted Oct. 2007.

CROSS REF.: 2:140 (Communications To and From the Policy Board and Executive Committee), 2:240 (Board Policy Development), 4:120 (Food Services), 5:100 (Staff Development Program)

EXECUTIVE COMMITTEE APPROVAL: December 13, 2023

POLICY BOARD APPROVAL: August 9, 2023

Tazewell-Mason Counties Special Ed Association

INSTRUCTION

6:235 Access to Electronic Networks

Electronic networks are a part of the Cooperative's instructional program and serve to promote educational excellence by facilitating resource sharing, innovation, and communication.

The term *electronic networks* includes all of the Cooperative's technology resources, including, but not limited to:

1. The Cooperative's local-area and wide-area networks, including wireless networks (Wi-Fi), Cooperative-issued Wi-Fi hotspots, and any Cooperative servers or other networking infrastructure;
2. Access to the Internet or other online resources via the Cooperative's networks or to any Cooperative-issued online account from any computer or device, regardless of location;
3. Cooperative-owned or Cooperative-issued computers, laptops, tablets, phones, or similar devices.

The Director shall develop an implementation plan for this policy and appoint system administrator(s).

The Cooperative is not responsible for any information that may be lost or damaged, or become unavailable when using the network, or for any information that is retrieved or transmitted via the Internet. Furthermore, the Cooperative will not be responsible for any unauthorized charges or fees resulting from access to the Internet.

Curriculum and Appropriate Online Behavior

The use of the Cooperative's electronic networks shall: (1) be consistent with the curriculum adopted by the Cooperative as well as the varied instructional needs, learning styles, abilities, and developmental levels of the students, and (2) comply with the selection criteria for instructional materials and library resource center materials. As required by federal law and Board policy 6:60, *Curriculum Content*, students will be educated about appropriate online behavior, including but not limited to: (1) interacting with other individuals on social networking websites and in chat rooms, and (2) cyberbullying awareness and response. Staff members may, consistent with the Director's implementation plan, use the Internet throughout the curriculum.

The Cooperative's electronic network is part of the curriculum and is not a public forum for general use.

Acceptable Use

All use of the Cooperative's electronic networks must be: (1) in support of education and/or research, and be in furtherance of the goals stated herein, or (2) for a legitimate school business purpose. Use is a privilege, not a right. Users of the Cooperative's electronic networks have no expectation of privacy in any material that is stored on, transmitted, or received via the

Cooperative's electronic networks. General rules for behavior and communications apply when using electronic networks. The Cooperative's administrative procedure, *Acceptable Use of the Cooperative's Electronic Networks*, contains the appropriate uses, ethics, and protocol. Electronic communications and downloaded material, including files deleted from a user's account but not erased, may be monitored or read by school officials.

Internet Safety

Technology protection measures shall be used on each Cooperative computer with Internet access. They shall include a filtering device that protects against Internet access by both adults and minors to visual depictions that are: (1) obscene, (2) pornographic, or (3) harmful or inappropriate for students, as defined by federal law and as determined by the Director or designee. The Director or designee shall enforce the use of such filtering devices. An administrator, supervisor, or other authorized person may disable the filtering device for bona fide research or other lawful purpose, provided the person receives prior permission from the Director or system administrator. The Director or designee shall include measures in this policy's implementation plan to address the following:

1. Ensure staff supervision of student access to online electronic networks,
2. Restrict student access to inappropriate matter as well as restricting access to harmful materials,
3. Ensure student and staff privacy, safety, and security when using electronic communications,
4. Restrict unauthorized access, including "hacking" and other unlawful activities, and
5. Restrict unauthorized disclosure, use, and dissemination of personal identification information, such as, names and addresses.

Authorization for Electronic Network Access

Each staff member must sign the *Authorization for Access to the Cooperative's Electronic Networks* as a condition for using the Cooperative's electronic network.

Confidentiality

All users of the Cooperative's computers to access the Internet shall maintain the confidentiality of student records. Reasonable measures to protect against unreasonable access shall be taken before confidential student information is loaded onto the network.

Violations

The failure of any user to follow the terms of the Cooperative's administrative procedure, *Acceptable Use of the Cooperative's Electronic Networks*, or this policy, will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

LEGAL REF.:

20 U.S.C. §7131, Elementary and Secondary Education Act.

47 U.S.C. §254(h) and (l), Children's Internet Protection Act.

47 C.F.R. Part 54, Subpart F, Universal Service Support for Schools and Libraries.

115 ILCS 5/14(c-5), Ill. Educational Labor Relations Act.

720 ILCS 5/26.5.

CROSS REF.: 5:100 (Staff Development Program), 5:170 (Copyright), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

EXECUTIVE COMMITTEE APPROVAL: August 11, 2021

POLICY BOARD APPROVAL: August 11, 2021

Tazewell-Mason Counties Special Ed Association

STUDENTS

7:10 Equal Educational Opportunities

Equal educational and extracurricular opportunities shall be available for all students without regard to color, race, nationality, religion, sex, sexual orientation, ancestry, age, physical or mental disability, gender identity, status of being homeless, immigration status, order of protection status, actual or potential marital or parental status, including pregnancy. Further, the Cooperative will not knowingly enter into agreements with any entity or any individual that discriminates against students on the basis of sex or any other protected status, except that the Cooperative remains viewpoint neutral when granting access to school facilities under policy 8:20, *Community Use of School Facilities*. Any student may file a discrimination grievance by using policy 2:260, *Uniform Grievance Procedure*.

Sex Equity

No student shall, based on sex, sexual orientation, or gender identity be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities.

Any student may file a sex equity complaint by using policy 2:260, *Uniform Grievance Procedure*. A student may appeal the Executive Committee's resolution of the complaint to the Regional Superintendent (pursuant to 105 ILCS 5/3-10) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8).

Administrative Implementation

The Director shall appoint a Nondiscrimination Coordinator, who also serves as the Cooperative's Title IX Coordinator. The Director and Schramm Program Coordinator shall use reasonable measures to inform staff members and students of this policy and related grievance procedures.

LEGAL REF.:

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

29 U.S.C. §791 et seq., Rehabilitation Act of 1973.

42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.

Good News Club v. Milford Central Sch., 533 U.S. 98 (2001).

Ill. Constitution, Art. I, §18.

105 ILCS 5/3.25b, 5/3.25d(b), 5/10-20.12, 5/10-20.60, 5/10-20.63, 5/10-22.5, and 5/27-1.

775 ILCS 5/1-101 et seq., Illinois Human Rights Act.

775 ILCS 35/5, Religious Freedom Restoration Act.

23 III.Admin.Code §1.240 and Part 200.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:130 (Student Rights and Responsibilities), 7:160 (Student Appearance), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:250 (Student Support Services), 7:340 (Student Records), 8:20 (Community Use of School Facilities)

EXECUTIVE COMMITTEE APPROVAL: January 12, 2022

POLICY BOARD APPROVAL: August 9, 2023

Tazewell-Mason Counties Special Ed Association

STUDENTS

7:15 Student and Family Privacy Rights

Surveys

All surveys requesting personal information from students, as well as any other instrument used to collect personal information from students, must advance or relate to the Cooperative's educational objectives or assist students' career choices. This applies to all surveys, regardless of whether the student answering the questions can be identified or who created the survey.

Surveys Created by a Third Party

Before a school official or staff member administers or distributes a survey or evaluation created by a third party to a student, the student's parent(s)/guardian(s) may inspect the survey or evaluation, upon their request and within a reasonable time of their request.

This section applies to every survey: (1) that is created by a person or entity other than a Cooperative official, staff member, or student, (2) regardless of whether the student answering the questions can be identified, and (3) regardless of the subject matter of the questions.

Surveys Requesting Personal Information

School officials and staff members shall not request, nor disclose, the identity of any student who completes any survey or evaluation (created by any person or entity, including the Cooperative) containing one or more of the following items:

1. Political affiliations or beliefs of the student or the student's parent/guardian.
2. Mental or psychological problems of the student or the student's family.
3. Behavior or attitudes about sex.
4. Illegal, anti-social, self-incriminating, or demeaning behavior.
5. Critical appraisals of other individuals with whom students have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian.
8. Income other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

The student's parent(s)/guardian(s) may:

1. Inspect the survey or evaluation upon, and within a reasonable time of, their request, and/or
2. Refuse to allow their child to participate in the activity described above. The school shall not penalize any student whose parent(s)/guardian(s) exercised this option.

Instructional Material

A student's parent(s)/guardian(s) may inspect, upon their request, any instructional material used as part of their child's educational curriculum within a reasonable time of their request.

The term "instructional material" means instructional content that is provided to a student, regardless of its format, printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

Physical Exams or Screenings

No school official or staff member shall subject a student to a non-emergency, invasive physical examination or screening as a condition of school attendance. The term *invasive physical examination* means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

The above paragraph does not apply to any physical examination or screening that:

1. Is permitted or required by an applicable State law, including physical examinations or screenings that are permitted without parental notification.
2. Is administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.).
3. Is otherwise authorized by Executive Committee policy.

Prohibition on Selling or Marketing Students' Personal Information

No school official or staff member shall market or sell personal information concerning students (or otherwise provide that information to others for that purpose). The term *personal information* means individually identifiable information including: (1) a student or parent's first and last name, (2) a home or other physical address (including street name and the name of the city or town), (3) a telephone number, (4) a Social Security identification number or (5) driver's license number or State identification card.

Unless otherwise prohibited by law, the above paragraph does not apply: (1) if the student's parent(s)/guardian(s) have consented; or (2) to the collection, disclosure or, use of personal information collected from students for the exclusive purpose of developing, evaluating or providing

educational products or services for, or to, students or educational institutions, such as the following:

1. College or other postsecondary education recruitment, or military recruitment.
2. Book clubs, magazines, and programs providing access to low-cost literary products.
3. Curriculum and instructional materials used by elementary schools and secondary schools.
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
5. The sale by students of products or services to raise funds for school-related or education-related activities.
6. Student recognition programs.

Under no circumstances may a school official or staff member provide a student's *personal information* to a business organization or financial institution that issues credit or debit cards.

Notification of Rights and Procedures

The Director or designee shall notify students' parents/guardians of:

1. This policy as well as its availability upon request from the general administration office.
2. How to opt their child out of participation in activities as provided in this policy.
3. The approximate dates during the school year when a survey requesting personal information, as described above, is scheduled or expected to be scheduled.
4. How to request access to any survey or other material described in this policy.

This notification shall be given to parents/guardians at least annually, at the beginning of the school year, and within a reasonable period after any substantive change in this policy.

Transfer of Rights

The rights provided to parents/guardians in this policy transfer to the student when the student turns 18 years old, or is an emancipated minor.

LEGAL REF.:

20 U.S.C. §1232h, Protection of Pupil Rights Act..

105 ILCS 5/10-20.38.

325 ILCS 17/, Children's Privacy Protection and Parental Empowerment Act.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 7:130 (Student Rights and Responsibilities)

EXECUTIVE COMMITTEE APPROVAL: July 13, 2022

POLICY BOARD APPROVAL: August 10, 2022

Tazewell-Mason Counties Special Ed Association

STUDENTS

7:20 Harassment of Students Prohibited

No person, including a Cooperative employee or agent, or student, shall harass, intimidate, or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable discharge status from military service; sex; sexual orientation; gender identity; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The Cooperative will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

Sexual Harassment Prohibited

The Cooperative shall provide an educational environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law. See policies 2:265, *Title IX Sexual Harassment Grievance Procedure*, and 2:260, *Uniform Grievance Procedure*.

Making a Report or Complaint

Students are encouraged to promptly report claims or incidences of bullying, intimidation, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, a Complaint Manager, or any employee with whom the student is comfortable speaking. A student may choose to report to an employee of the student's same gender.

Reports under this policy will be considered a report under Executive Committee policy 2:260, *Uniform Grievance Procedure*, and/or Executive Committee policy 2:265, *Title IX Sexual Harassment Grievance Procedure*. The Nondiscrimination Coordinator and/or Complaint Manager shall process and review the report according to the appropriate grievance procedure.

The Director shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the Cooperative's current Nondiscrimination Coordinator and Complaint Managers. The Nondiscrimination Coordinator also serves as the Cooperative's Title IX Coordinator.

Nondiscrimination Coordinator:

Name:

Laura Stuff

Address:

300 Cedar St., Pekin, IL 61554

Email:

lstuff@tmcsea.org

Telephone:

309-346-1186

Complaint Managers:

Name:

Kari Behrends

Address:

109 Rogers Road ,
North Pekin, IL, 61554

Email:

kbehrends@tmcsea.org

Telephone:

309-347-5164

Name:

Amber Ealey

Address:

300 Cedar St.,
Pekin, IL 61554

Email:

aealey@tmcsea.org

Telephone:

309-347-5164

Name:

Adam Mangold

Address:

109 Rogers Road ,
North Pekin, IL, 61554

Email:

amangold@tmcsea.org

Telephone:

309-347-5164

Name:

Anne Risen

Address:

300 Cedar St.,
Pekin, IL 61554

Email:

arisen@tmcsea.org

Telephone:

309-347-5164

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

1. For students, age-appropriate information about the contents of this policy in the Cooperative’s student handbook(s), on the Cooperative’s website, and, if applicable, in any other areas where policies, rules, and standards of conduct are otherwise posted in each school.
2. For staff members, this policy in the appropriate employee handbook(s), if applicable, and/or in any other areas where policies, rules, and standards of conduct are otherwise made available to staff.

Investigation Process

Any Cooperative employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. Any employee who fails to promptly comply may be disciplined, up to and including discharge.

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

For any report or complaint alleging sexual harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Nondiscrimination Coordinator or designee shall consider whether action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, should be initiated.

For any other alleged student harassment that does not require action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policies 2:260, *Uniform Grievance Procedure*, and/or 7:190, *Student Behavior*, should be initiated, regardless of whether a written report or complaint is filed.

Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel

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

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*. In addition to reporting the suspected abuse, the complaint shall also be processed under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, or policy 2:260, *Uniform Grievance Procedure*.

Enforcement

Any Cooperative employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action up to and including discharge. Any third party who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be addressed in accordance with the authority of the Executive Committee in the context of the relationship of the third party to the Cooperative, e.g., vendor, parent, invitee, etc. Any Cooperative student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the behavior policy. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action.

Retaliation Prohibited

Retaliation against any person for bringing complaints or providing information about harassment is prohibited (see policies 2:260, *Uniform Grievance Procedure*, and 2:265, *Title IX Sexual Harassment Grievance Procedure*).

Students should report allegations of retaliation to the Schramm Program Coordinator, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

LEGAL REF.:

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

105 ILCS 5/10-20.12, 5/10-22.5, 5/10-23.13, 5/27-1, and 5/27-23.7.

775 ILCS 5/1-101 et seq., Illinois Human Rights Act.

23 Ill.Admin.Code §1.240 and Part 200.

Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).

Franklin v. Gwinnett Co. Public Schs., 503 U.S. 60 (1992).

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

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

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior)

EXECUTIVE COMMITTEE APPROVAL: January 12, 2022

POLICY BOARD APPROVAL: August 10, 2022

Tazewell-Mason Counties Special Ed Association

STUDENTS

7:140 Search and Seizure

In order to maintain order and security in the schools, school authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects. "School authorities" includes school liaison police officers.

School Property and Equipment as well as Personal Effects Left There by Students

School authorities may inspect and search school property and equipment owned or controlled by the school (such as, lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or the consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there. This paragraph applies to student vehicles parked on school property. In addition, Program Coordinators shall require each high school student, in return for the privilege of parking on school property, to consent in writing to school searches of his or her vehicle, and personal effects therein, without notice and without suspicion of wrongdoing.

The Director may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs.

Students

School authorities may search a student and/or the student's personal effects in the student's possession (such as, purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there is a reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the Cooperative's student conduct rules. The search itself must be conducted in a manner that is reasonably related to its objective and not excessively intrusive in light of the student's age and sex, and the nature of the infraction.

When feasible, the search should be conducted as follows:

1. Outside the view of others, including students,
2. In the presence of a school administrator or adult witness, and
3. By a certificated employee or liaison police officer of the same sex as the student.

Immediately following a search, a written report shall be made by the school authority who conducted the search, and given to the Director.

Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or the Cooperative's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

Notification Regarding Student Accounts or Profiles on Social Networking Websites

The Director or designee shall notify students and their parents/guardians of each of the following in accordance with the Right to Privacy in the School Setting Act, 105 ILCS 75/:

1. School officials may not request or require a student or his or her parent/guardian to provide a password or other related account information to gain access to the student's account or profile on a social networking website.
2. School officials may conduct an investigation or require a student to cooperate in an investigation if there is specific information about activity on the student's account on a social networking website that violates a school disciplinary rule or policy. In the course of an investigation, the student may be required to share the content that is reported in order to allow school officials to make a factual determination.

LEGAL REF.:

105 ILCS 5/10-20.14, 5/10-22.6, and 5/10-22.10a.

Right to Privacy in the School Setting Act, 105 ILCS 75/.

Cornfield v. Consolidated High School Dist. No. 230, 991 F.2d 1316 (7th Cir. 1993).

People v. Dilworth, 169 Ill.2d 195 (1996), *cert. denied*, 116 S.Ct. 1692 (1996).

People v. Pruitt, 278 Ill.App.3d 194 (1st Dist. 1996), *app. denied*, 667 N.E. 2d 1061 (Ill.App.1, 1996).

T.L.O. v. New Jersey, 469 U.S. 325 (1985).

Vernonia School Dist. 47J v. Acton, 515 U.S. 646 (1995).

Safford Unified School Dist. No. 1 v. Redding, 557 U.S. 364 (2009).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:150 (Agency and Police Interviews), 7:190 (Student Behavior)

EXECUTIVE COMMITTEE APPROVAL: January 13, 2021

POLICY BOARD APPROVAL: August 11, 2021

Tazewell-Mason Counties Special Ed Association

STUDENTS

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

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

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

1. During any school-sponsored education program or activity.
2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities.
3. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.
4. Through the transmission of information from a computer that is accessed at a nonschool-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by the Cooperative 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.

Definitions 105 ILCS 5/27-23.7

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

1. Placing the student or students in reasonable fear of harm to the student's or students' person or property;
2. Causing a substantially detrimental effect on the student's or students' physical or mental health;

3. Substantially interfering with the student's or students' academic performance; or
4. Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

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

Restorative measures means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, schools, and communities, (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.

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

Bullying Prevention and Response Plan

The Director or designee shall develop and maintain a bullying prevention and response plan that advances the Cooperative's goal of providing all students with a safe learning environment free of bullying and harassment. This plan must be consistent with the requirements listed below; each numbered requirement, 1-12, corresponds with the same number in the list of required policy components in 105 ILCS 5/27-23.7(b) 1-12.

1. The Cooperative uses the definition of *bullying* as provided in this policy.
2. Bullying is contrary to State law and the policy of this Cooperative. However, nothing in the Cooperative's bullying prevention and response plan is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the U.S. Constitution or under Section 3 of Article I of the Illinois Constitution.
3. Students are encouraged to immediately report bullying. A report may be made orally or in writing to the Nondiscrimination Coordinator, Program Coordinator, a Complaint Manager, or any staff member with whom the student is comfortable speaking. Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to the Cooperative named officials or any staff member. The Cooperative named officials and all staff members are available for help with a bully or to make a report about bullying. Anonymous reports are also accepted; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.

Nondiscrimination Coordinator:

Laura Stuff

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309-346-1186

Complaint Managers:

Kari Behrends	Amber Ealey	Adam Mangold	Anne Risen
109 Rogers Road , North Pekin, IL, 61554	300 Cedar St., Pekin, IL 61554	109 Rogers Road , North Pekin, IL, 61554	300 Cedar St., Pekin, IL 61554
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4. Consistent with federal and State laws and rules governing student privacy rights, the Director or designee shall promptly inform the parent(s)/guardian(s) of every student involved in an alleged incident of bullying and discuss, as appropriate, the availability of social work services, counseling, school psychological services, other interventions, and restorative measures.

5. The Director or designee shall promptly investigate and address reports of bullying, by, among other things:

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

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

6. The Director or designee shall use interventions to address bullying, that may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.
7. A reprisal or retaliation against any person who reports an act of bullying **is prohibited**. Any person's act of reprisal or retaliation will be subject to disciplinary action, up to and including discharge with regard to employees, or suspension and/or expulsion with regard to students.
8. A student will not be punished for reporting bullying or supplying information, even if the Cooperative's investigation concludes that no bullying occurred. However, a person who is found to have falsely accused another of bullying, as a means of retaliation, as a means of bullying, or provided false information will be treated as either: (a) *bullying*, (b) student discipline up to and including suspension and/or expulsion, and/or (c) both (a) and (b) for purposes of determining any consequences or other appropriate remedial actions.
9. The Cooperative's bullying prevention and response plan is based on the engagement of a range of school stakeholders, including students and parents/guardians.
10. The Director or designee shall post this policy on the Cooperative's website, if any, and include it in the student handbook, and, where applicable, post it where other policies, rules, and standards of conduct are currently posted. The policy must be distributed annually to parents/guardians, students, and school personnel (including new employees when hired), and must also be provided periodically throughout the school year to students and faculty.

11. Pursuant to State law and policy 2:240, *Board Policy Development*, the Board monitors this policy every two years by conducting a review and re-evaluation of this policy to make any necessary and appropriate revisions. The Director or designee shall assist the Board with its re-evaluation and assessment of this policy's outcomes and effectiveness. Updates to this policy will reflect any necessary and appropriate revisions. This process shall include, without limitation:

- a. The frequency of victimization;
- b. Student, staff, and family observations of safety at a school;
- c. Identification of areas of a school where bullying occurs;
- d. The types of bullying utilized; and
- e. Bystander intervention or participation.

The evaluation process may use relevant data and information that the Cooperative already collects for other purposes. Acceptable documentation to satisfy the re-evaluated policy submission include one of the following:

- 1) An updated version of the policy with the amendment/modification date included in the reference portion of the policy;
- 2) If no revisions are deemed necessary, a copy of board minutes indicating that the policy was re-evaluated and no changes were deemed to be necessary; or
- 3) A signed statement from the Board Chairperson indicating that the Board re-evaluated the policy and no changes to it were necessary.

The Director or designee must post the information developed as a result of the policy re-evaluation on the Cooperative's website, or if a website is not available, the information must be provided to school administrators, Policy Board and Executive Committee members, school personnel, parents/guardians, and students. Reviews and re-evaluations in years they are due must be submitted to ISBE by September 30.

12. The Cooperative's bullying prevention plan must be consistent with other policies.

LEGAL REF.:

105 ILCS 5/10-20.14, 5/10-22.6(b-20), 5/24-24, and 5/27-23.7.

405 ILCS 49/, Children's Mental Health Act.

775 ILCS 5/1-103, Ill. Human Rights Act.

23 Ill.Admin.Code §§1.240, 1.280, and 1.295.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 4:170 (Safety), 5:230 (Maintaining Student Discipline), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:190 (Student Behavior), 7:230 (Misconduct by Students with Disabilities), 7:285 (Anaphylaxis Prevention, Response, and Management Program), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools)

EXECUTIVE COMMITTEE APPROVAL: January 11, 2023

POLICY BOARD APPROVAL: August 9, 2023

Tazewell-Mason Counties Special Ed Association

STUDENTS

7:185 Teen Dating Violence Prohibited

Engaging in teen dating violence that takes place at school, on school property, at school-sponsored activities, or in vehicles used for school-provided transportation is prohibited. For purposes of this policy, the term *teen dating violence* occurs whenever a student who is 13 to 19 years of age uses or threatens to use physical, mental, or emotional abuse to control an individual in the dating relationship; or uses or threatens to use sexual violence in the dating relationship.

The Director or designee shall develop and maintain a program to respond to incidents of teen dating violence that:

1. Fully implements and enforces each of the following Executive Committee policies:
 - a. *2:260, Uniform Grievance Procedure*. This policy provides a method for any student, parent/guardian, employee, or community member to file a complaint if he or she believes that the Executive Committee, its employees, or its agents have violated his or her rights under the State or federal Constitution, State or federal statute, Executive Committee policy, or various enumerated bases.
 - b. *2:265, Title IX Sexual Harassment Grievance Procedure*. This policy prohibits any person from engaging in sexual harassment in violation of Title IX of the Education Amendments of 1972. Prohibited conduct includes but is not limited to sexual assault, dating violence, domestic violence, and stalking.
 - c. *7:20, Harassment of Students Prohibited*. This policy prohibits any person from harassing, intimidating, or bullying a student based on the student's actual or perceived characteristics of sex; sexual orientation; gender identity; and gender-related identity or expression (this policy includes more protected statuses).
 - d. *7:180, Prevention of and Response to Bullying, Intimidation, and Harassment*. This policy prohibits students from engaging in bullying, intimidation, and harassment at school, school-related events and electronically. Prohibited conduct includes threats, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.
2. Encourages anyone with information about incidents of teen dating violence to report them to any of the following individuals:
 - a. Any school staff member. School staff shall respond to incidents of teen dating violence by following the Cooperative's established procedures for the prevention, identification, investigation, and response to bullying and school violence.
 - b. The Nondiscrimination Coordinator or a Complaint Manager identified in policy 7:20, *Harassment of Students Prohibited*.

3. This includes incorporating student social and emotional development into the Cooperative's educational program as required by State law and in alignment with Executive Committee policy 6:65, *Student Social and Emotional Development*.
4. Incorporates education for school staff, as recommended by the Nondiscrimination Coordinator or a Complaint Manager.
5. Notifies students and parents/guardians of this policy.

Incorporated

by Reference: 7:180-AP1, (Prevention, Identification, Investigation, and Response to Bullying)

LEGAL REF.:

105 ILCS 110/3.10.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 5:100 (Staff Development Program), 5:230 (Maintaining Student Discipline), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities)

EXECUTIVE COMMITTEE APPROVAL: September 9, 2020

POLICY BOARD APPROVAL: August 11, 2021

Tazewell-Mason Counties Special Ed Association

STUDENTS

7:190 Student Behavior

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

When and Where Conduct Rules Apply

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

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

Prohibited Student Conduct

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

1. Using, possessing, distributing, purchasing, or selling tobacco or nicotine materials, including without limitation, electronic cigarettes.
2. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence of an alcoholic beverage are not permitted to attend school or school functions and are treated as though they had alcohol in their possession.
3. Using, possessing, distributing, purchasing, selling, or offering for sale:
 - a. Any illegal drug or controlled substance, or cannabis (including marijuana, hashish, and medical cannabis unless the student is authorized to be administered a medical cannabis infused product under *Ashley's Law*).

- b. Any anabolic steroid unless it is being administered in accordance with a physician's or licensed practitioner's prescription.
- c. Any performance-enhancing substance on the Illinois High School Association's most current banned substance list unless administered in accordance with a physician's or licensed practitioner's prescription.
- d. Any prescription drug when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or prescribing physician's or licensed practitioner's instructions. The use or possession of medical cannabis, even by a student for whom medical cannabis has been prescribed, is prohibited unless the student is authorized to be administered a medical cannabis infused product under *Ashley's Law*.
- e. Any inhalant, regardless of whether it contains an illegal drug or controlled substance: (a) that a student believes is, or represents to be capable of, causing intoxication, hallucination, excitement, or dulling of the brain or nervous system; or (b) about which the student engaged in behavior that would lead a reasonable person to believe that the student intended the inhalant to cause intoxication, hallucination, excitement, or dulling of the brain or nervous system. The prohibition in this section does not apply to a student's use of asthma or other legally prescribed inhalant medications.
- f. Any substance inhaled, injected, smoked, consumed, or otherwise ingested or absorbed with the intention of causing a physiological or psychological change in the body, including without limitation, pure caffeine in tablet or powdered form.
- g. *Look-alike* or counterfeit drugs, including a substance that is not prohibited by this policy, but one: (a) that a student believes to be, or represents to be, an illegal drug, controlled substance, or other substance that is prohibited by this policy; or (b) about which a student engaged in behavior that would lead a reasonable person to believe that the student expressly or impliedly represented to be an illegal drug, controlled substance, or other substance that is prohibited by this policy.
- h. Drug paraphernalia, including devices that are or can be used to: (a) ingest, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances.

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

- 4. Using, possessing, controlling, or transferring a *weapon* as that term is defined in the Weapons section of this policy, or violating the Weapons section of this policy.

5. Using or possessing an electronic paging device. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules. Prohibited conduct specifically includes, without limitation, creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device, or cellular phone. Unless otherwise banned under this policy or by the Director, all electronic devices must be kept powered-off or silenced during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student's individualized education program (IEP); (c) it is used during the student's lunch period, or (d) it is needed in an emergency that threatens the safety of students, staff, or other individuals.
6. Using or possessing a laser pointer unless under a staff member's direct supervision and in the context of instruction.
7. Disobeying rules of student conduct or directives from staff members or school officials. Examples of disobeying staff directives include refusing a Cooperative's staff member's request to stop, present school identification, or submit to a search.
8. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, using a writing service and/or generative artificial intelligence technology in place of original work unless specifically authorized by staff, wrongfully giving or receiving help during an academic examination, altering report cards, and wrongfully obtaining test copies or scores.
9. Engaging in hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to a staff person or another student, or urging other students to engage in such conduct. Prohibited conduct specifically includes, without limitation, any use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing, bullying, bullying using a school computer or a school computer network, or other comparable conduct.
10. Engaging in any sexual activity, including without limitation, offensive touching, sexual harassment, indecent exposure (including mooning), and sexual assault. This does not include the non-disruptive: (a) expression of gender or sexual orientation or preference, or (b) display of affection during non-instructional time.
11. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.
14. Entering school property or a school facility without proper authorization.
15. In the absence of a reasonable belief that an emergency exists, calling emergency responders (such as calling 911); signaling or setting off alarms or signals indicating the presence of an emergency; or indicating the presence of a bomb or explosive device on school grounds, school bus, or at any school activity.

16. Being absent without a recognized excuse; State law and Executive Committee policy regarding truancy control will be used with chronic and habitual truants.

17. 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.

18. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia.

19. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, vandalism, and hazing.

20. Making an explicit threat on an Internet website against a school employee, a student, or any school-related personnel if the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school.

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 Director or designee.

22. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.

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

Efforts, including the use of positive interventions and supports, shall be made to deter students, while at school or a school-related event, from engaging in aggressive behavior that may reasonably produce physical or psychological harm to someone else. The Director or designee shall ensure that the parent/guardian of a student who engages in aggressive behavior is notified of the incident. The failure to provide such notification does not limit the Executive Committee'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 psycho-stimulant medication to the student.

Disciplinary Measures

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

1. Notifying parent(s)/guardian(s).
2. Disciplinary conference.
3. Withholding of privileges.
4. Temporary removal from the classroom.
5. Return of property or restitution for lost, stolen, or damaged property.
6. In-school suspension. The Director or designee shall ensure that the student is properly supervised.
7. After-school study or Saturday study provided the student's parent/guardian has been notified. If transportation arrangements cannot be agreed upon, an alternative disciplinary measure must be used. The student must be supervised by the detaining teacher or the Director or designee.
8. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs. The Cooperative will not provide transportation. Administration shall use this option only as an alternative to another disciplinary measure, giving the student and/or parent/guardian the choice.
9. Seizure of contraband; confiscation and temporary retention of personal property that was used to violate this policy or school disciplinary rules.
10. 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 two calendar years in accordance with Board policy 7:210, *Expulsion Procedures*. A student who has been expelled may also be restricted from being on school grounds and at school activities.
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), *look-alikes*, alcohol, or weapons or in other circumstances as authorized by the reciprocal reporting agreement between the Cooperative and local law enforcement agencies.

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

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

Isolated Time Out, Time Out, and Physical Restraint

Neither isolated time out, time out, nor physical restraint shall be used to discipline or punish a student. These methods are only authorized for use as permitted in 105 ILCS 5/10-20.33, State Board of Education rules (23 Ill.Admin.Code §§ 1.280, 1.285), and the Cooperative's procedure(s).

Weapons

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

1. A *firearm*, meaning any gun, rifle, shotgun, or weapon as defined by Section 921 of Title 18 of the United States Code (18 U.S.C. § 921), firearm as defined in Section 1.1 of the Firearm Owners Identification Card Act (430 ILCS 65/), or firearm as defined in Section 24-1 of the Criminal Code of 2012 (720 ILCS 5/24-1).
2. A knife, brass knuckles, or other knuckle weapon regardless of its composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including *look-alikes* of any *firearm* as defined above.

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

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

Re-Engagement of Returning Students

The Director or designee shall maintain a process to facilitate the re-engagement of students who are returning from an out-of-school suspension, expulsion, or an alternative school setting. The goal of re-engagement shall be to support the student's ability to be successful in school following a period of exclusionary discipline and shall include the opportunity for students who have been suspended to complete or make up work for equivalent academic credit.

Required Notices

A school staff member shall immediately notify the office of the Director in the event that he or she: (1) observes any person in possession of a firearm on or around school grounds; however, such action may be delayed if immediate notice would endanger students under his or her supervision, (2) observes or has reason to suspect that any person on school grounds is or was involved in a drug-related incident, or (3) observes a battery committed against any staff member or is subject to a battery. *School grounds* includes modes of transportation to school activities and any public way within 1000 feet of the school, as well as school property itself.

Upon receiving a report of (1), above, the Program Coordinator or designee shall immediately notify local law enforcement. In addition, upon receiving a report on any of the above (1)-(3), the Program Coordinator or designee shall notify the Director or designee and any involved student's parent/guardian.

Upon receiving a report on any of the above (1)-(3), the Director or designee shall immediately notify local law enforcement. The Director or designee shall also report incidents involving battery against staff members to the Ill. State Board of Education through its web-based School Incident Reporting System as they occur during the year and no later than August 1 for the preceding school year.

Delegation of Authority

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

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

Student Handbook

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

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

Incorporated

by Reference: 7:190-AP4, (Use of Isolated Time Out, Time Out, and Physical Restraint)

LEGAL REF.:

20 U.S.C. §7971, Pro-Children Act of 2004.

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

105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.36, 5/10-21.7, 5/10-21.10, 5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/22-33, 5/24-24, 5/26-12, 5/27-23.7, and 5/31-3.

105 ILCS 110/3.10, Critical Health Problems and Comprehensive Health Education Act.

410 ILCS 130/, Compassionate Use of Medical Cannabis Pilot Program.

410 ILCS 647/, Powdered Caffeine Control and Education Act.

430 ILCS 66/, Firearm Concealed Carry Act.

23 Ill.Admin.Code §§ 1.280, 1.285.

CROSS REF.: 2:150 (Committees), 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 7:70 (Attendance and Truancy), 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:160 (Student Appearance), 7:170 (Vandalism), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:270 (Administering Medicines to Students), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools), 8:30 (Visitors to and Conduct on School Property)

EXECUTIVE COMMITTEE APPROVAL: December 13, 2023

POLICY BOARD APPROVAL: August 10, 2022

Tazewell-Mason Counties Special Ed Association

STUDENTS

7:200 Suspension Procedures

In-School Suspension

The Director or designee is authorized to maintain an in-school suspension program. The program shall include, at a minimum, each of the following:

1. Before assigning a student to in-school suspension, the charges will be explained and the student will be given an opportunity to respond to the charges.
2. Students are supervised by licensed school personnel.
3. Students are given the opportunity to complete classroom work during the in-school suspension for equivalent academic credit.

Out-of-School Suspension

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

1. A conference during which the charges will be explained and the student will be given an opportunity to respond to the charges before he or she may be suspended.
2. A pre-suspension conference is not required, and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
3. An attempted phone call to the student's parent(s)/guardian(s).
4. A written notice of the suspension to the parent(s)/guardian(s) and the student, which shall:
 - a. Provide notice to the parent(s)/guardian(s) of their child's right to a review of the suspension;
 - b. Include information about an opportunity to make up work missed during the suspension for equivalent academic credit;
 - c. Detail the specific act of gross disobedience or misconduct resulting in the decision to suspend;
 - d. Provide rationale or an explanation of how the chosen number of suspension days will address the threat or disruption posed by the student or his or her act of gross disobedience or misconduct; and
 - e. Depending upon the length of the out-of-school suspension, include the following applicable information:
 - i. For a suspension of 3 school days or less, an explanation that the student's continuing presence in school would either pose:
 - a) A threat to school safety, or
 - b) A disruption to other students' learning opportunities.
 - ii. For a suspension of 4 or more school days, an explanation:
 - a) That other appropriate and available behavioral and disciplinary interventions have been exhausted
 - b) As to whether school officials attempted other interventions or determined that no other interventions were available for the student, and
 - c) That the student's continuing presence in school would either:

i) Pose a threat to the safety of other students, staff, or members of the school community, or
ii) Substantially disrupt, impede, or interfere with the operation of the school.

iii. For a suspension of 5 or more school days, the information listed in section 4.e.ii., above, along with documentation by the Director or designee determining what, if any, appropriate and available support services will be provided to the student during the length of his or her suspension.

5. A summary of the notice, including the reason for the suspension and the suspension length, must be given to the Executive Committee by the Director or designee.

6. Upon request of the parent(s)/guardian(s), a review of the suspension shall be conducted by the Executive Committee or a hearing officer appointed by the Executive Committee. At the review, the student's parent(s)/guardian(s) may appear and discuss the suspension with the Executive Committee or its hearing officer and may be represented by counsel. Whenever there is evidence that mental illness may be the cause for the suspension, the Director or designee shall invite a representative from a local mental health agency to consult with the Executive Committee. After presentation of the evidence or receipt of the hearing officer's report, the Executive Committee shall take such action as it finds appropriate. If the suspension is upheld, the Executive Committee's written suspension decision shall specifically detail items (a) and (e) in number 4, above.

LEGAL REF.:

Goss v. Lopez, 419 U.S. 565 (1975).

105 ILCS 5/10-20.14, 5/10-22.6.

23 Ill.Admin.Code §1.280.

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

EXECUTIVE COMMITTEE APPROVAL: January 12, 2022

POLICY BOARD APPROVAL: August 10, 2022

Tazewell-Mason Counties Special Ed Association

STUDENTS

7:270 Administering Medicines to Students

Students should not take medication during school hours or during school-related activities unless it is necessary for a student's health and well-being. When a student's licensed health care provider and parent/guardian believe that it is necessary for the student to take a medication during school hours or school-related activities, the parent/guardian must request that the school dispense the medication to the child and otherwise follow the Cooperative's procedures on dispensing medication.

No Cooperative employee shall administer to any student, or supervise a student's self-administration of, any prescription or non-prescription medication until a completed and signed School Medication Authorization Form (SMA Form) is submitted by the student's parent/guardian. No student shall possess or consume any prescription or non-prescription medication on school grounds or at a school-related function other than as provided for in this policy and its implementing procedures.

Nothing in this policy shall prohibit any school employee from providing emergency assistance to students, including administering medication.

The Program Coordinator shall provide a copy of the policy to the parents/guardians of students.

Self-Administration of Medication

A student may possess and self-administer an epinephrine injector, e.g., EpiPen®, and/or asthma medication prescribed for use at the student's discretion, provided the student's parent/guardian has completed and signed an SMA Form. The Director or designee will ensure an Emergency Action Plan is developed for each self-administering student.

A student may self-administer medication required under a qualifying plan, provided the student's parent/guardian has completed and signed an SMA Form. A qualifying plan means: (1) an asthma action plan, (2) an Individual Health Care Action Plan, (3) an Ill. Food Allergy Emergency Action Plan and Treatment Authorization Form, (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.

The Cooperative shall incur no liability, except for willful and wanton conduct, as a result of any injury arising from a student's self-administration of medication, including asthma medication or epinephrine injectors, or medication required under a qualifying plan. A student's parent/guardian must indemnify and hold harmless the Cooperative and its employees and agents, against any claims, except a claim based on willful and wanton conduct, arising out of a student's self-administration of an epinephrine injector, asthma medication, and/or a medication required under a qualifying plan.

Cooperative Supply of Undesignated Asthma Medication

The Director or designee shall implement 105 ILCS 5/22-30(f) and maintain a supply of undesignated asthma medication in the name of the Cooperative and provide or administer them as necessary according to State law. Undesignated asthma medication means an asthma medication prescribed in the name of the Cooperative or one of its schools. A school nurse or

trained personnel, as defined in State law, may administer an undesignated asthma medication to a person when they, in good faith, believe a person is having respiratory distress. Respiratory distress may be characterized as mild-to-moderate or severe. Each building administrator and/or his or her corresponding school nurse shall maintain the names of trained personnel who have received a statement of certification pursuant to State law.

Cooperative Supply of Undesignated Epinephrine Injectors

The Director or designee shall implement 105 ILCS 5/22-30(f) and maintain a supply of undesignated epinephrine injectors in the name of the Cooperative and provide or administer them as necessary according to State law. Undesignated epinephrine injector means an epinephrine injector prescribed in the name of the Cooperative or one of its schools. A school nurse or trained personnel, as defined in State law, may administer an undesignated epinephrine injector to a person when they, in good faith, believe a person is having an anaphylactic reaction. Each building administrator and/or his or her corresponding school nurse shall maintain the names of trained personnel who have received a statement of certification pursuant to State law.

Administration of Medical Cannabis

The Compassionate Use of Medical Cannabis Program Act allows a medical cannabis infused product to be administered to a student by one or more of the following individuals:

1. A parent/guardian of a student who is a minor who registers with the Ill. Dept. of Public Health (IDPH) as a designated caregiver to administer medical cannabis to their child. A designated caregiver may also be another individual other than the student's parent/guardian. Any designated caregiver must be at least 21 years old and is allowed to administer a medical cannabis infused product to a child who is a student on the premises of his or her school or on his or her school bus if:

- a. Both the student and the designated caregiver possess valid registry identification cards issued by IDPH;
- b. Copies of the registry identification cards are provided to the Cooperative;
- c. That student's parent/guardian completed, signed, and submitted a *School Medication Authorization Form - Medical Cannabis*; and
- d. After administering the product to the student, the designated caregiver immediately removes it from school premises or the school bus.

2. A properly trained school nurse or administrator, who shall be allowed to administer the medical cannabis infused product to the student on the premises of the child's school, at a school-sponsored activity, or before/after normal school activities, including while the student is in before-school or after-school care on school-operated property or while being transported on a school bus.

3. The student him or herself when the self-administration takes place under the direct supervision of a school nurse or administrator.

Medical cannabis infused product (product) includes oils, ointments, foods, and other products that contain usable cannabis but are not smoked or vaped. Smoking and/or vaping medical cannabis is prohibited.

The product may not be administered in a manner that, in the opinion of the Cooperative or school, would create a disruption to the educational environment or cause exposure of the product to other students. A school employee shall not be required to administer the product.

Discipline of a student for being administered a product by a designated caregiver, or by a school nurse or administrator, or who self-administers a product under the direct supervision of a school nurse or administrator pursuant to this policy is prohibited. The Cooperative may not deny a student attendance at a school solely because he or she requires administration of the product during school hours.

Void Policy

The Cooperative Supply of Undesignated Asthma Medication section of the policy is void whenever the Director or designee is, for whatever reason, unable to: (1) obtain for the Cooperative a prescription for undesignated asthma medication from a physician or advanced practice nurse licensed to practice medicine in all its branches, or (2) fill the Cooperative's prescription for undesignated school asthma medication.

The Cooperative Supply of Undesignated Epinephrine Injectors section of the policy is void whenever the Director or designee is, for whatever reason, unable to: (1) obtain for the Cooperative a prescription for undesignated epinephrine injectors from a physician or advanced practice nurse licensed to practice medicine in all its branches, or (2) fill the Cooperative's prescription for undesignated school epinephrine injectors.

The **Administration of Medical Cannabis** section of the policy is void and the Cooperative reserves the right not to implement it if the Cooperative or school is in danger of losing federal funding.

Administration of Undesignated Medication

Upon any administration of an undesignated medication permitted by State law, the Director or designee(s) must ensure all notifications required by State law and administrative procedures occur.

Undesignated Medication Disclaimers

Upon implementation of this policy, the protections from liability and hold harmless provisions applicable under State law apply.

No one, including without limitation, parents/guardians of students, should rely on the Cooperative for the availability of undesignated medication. This policy does not guarantee the availability of undesignated medications. Students and their parents/guardians should consult their own physician regarding these medication(s).

LEGAL REF.:

105 ILCS 5/10-20.14b, 5/10-22.21b, 5/22-30, and 5/22-33.

105 ILCS 145/, Care of Students with Diabetes Act.

410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act.

720 ILCS 550/, Cannabis Control Act.

23 Ill.Admin.Code §1.540.

CROSS REF.: 7:285 (Anaphylaxis Prevention, Response, and Management Program)

EXECUTIVE COMMITTEE APPROVAL: July 13, 2022

POLICY BOARD APPROVAL: August 9, 2023

Tazewell-Mason Counties Special Ed Association

STUDENTS

7:285 Anaphylaxis Prevention, Response, and Management Program

School attendance may increase a student's risk of exposure to allergens that could trigger anaphylaxis. Students at risk for anaphylaxis benefit from a Executive Committee policy that coordinates a planned response in the event of an anaphylactic emergency. Anaphylaxis is a severe systemic allergic reaction from exposure to allergens that is rapid in onset and can cause death. Common allergens include animal dander, fish, latex, milk, shellfish, tree nuts, eggs, insect venom, medications, peanuts, soy, and wheat. A severe allergic reaction usually occurs quickly; death has been reported to occur within minutes. An anaphylactic reaction can also occur up to one to two hours after exposure to the allergen.

While it is not possible for the Cooperative to completely eliminate the risks of an anaphylactic emergency when a student is at school, an Anaphylaxis Prevention, Response, and Management Program using a cooperative effort among students' families, staff members, students, health care providers, emergency medical services, and the community helps the Cooperative reduce these risks and provide accommodations and proper treatment for anaphylactic reactions.

The Director or designee shall develop and implement an Anaphylaxis Prevention, Response, and Management Program for the prevention and treatment of anaphylaxis that:

1. Fully implements the Ill. State Board of Education (ISBE)'s model policy required by the School Code that: (a) relates to the care and response to a person having an anaphylaxis reaction, (b) addresses the use of epinephrine in a school setting, (c) provides a full food allergy and prevention of allergen exposure plan, and (d) aligns with 105 ILCS 5/22-30 and 23 Ill.Admin.Code §1.540.
2. Ensures staff members receive appropriate training, including: (a) an in-service training program for staff who work with students that is conducted by a person with expertise in anaphylactic reactions and management, and (b) training required by law for those staff members acting as *trained personnel*, as provided in 105 ILCS 5/22-30 and 23 Ill.Admin.Code §1.540.
3. Implements and maintains a supply of undesignated epinephrine in the name of the Cooperative, in accordance with policy 7:270, *Administering Medicines to Students*.
4. Follows and references the applicable best practices specific to the Cooperative's needs in the Centers for Disease Control and Prevention's *Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs* and the *National Association of School Nurses Allergies and Anaphylaxis Resources/Checklists*.
5. Provides annual notice to the parents/guardians of all students to make them aware of this policy.

6. Complies with State and federal law and is in alignment with Executive Committee policies.

Monitoring

Pursuant to State law and policy 2:240, *Board Policy Development*, the Executive Committee reviews and makes any necessary updates to this policy at least once every three years. The Director or designee shall assist the Executive Committee with its review and any necessary updates.

LEGAL REF.:

105 ILCS 5/2-3.190, 5/10-22.39, and 5/22-30.

23 Ill.Admin.Code §1.540.

Anaphylaxis Response Policy for Illinois Schools, published by ISBE.

CROSS REF.: 4:110 (Transportation), 4:120 (Food Services), 4:170 (Safety), 5:100 (Staff Development Program), 6:120 (Education of Children with Disabilities), 6:240 (Field Trips and Recreational Class Trips), 7:180 (Prevention of and Response to Bullying, Intimidation and Harassment), 7:250 (Student Support Services), 7:270 (Administering Medicines to Students), 8:100 (Relations with Other Organizations and Agencies)

EXECUTIVE COMMITTEE APPROVAL: December 13, 2023

POLICY BOARD APPROVAL: August 9, 2023

Tazewell-Mason Counties Special Ed Association

STUDENTS

7:290 Suicide and Depression Awareness and Prevention

Youth suicide impacts the safety of the school environment. It also affects the school community, diminishing the ability of surviving students to learn and the school's ability to educate. Suicide and depression awareness and prevention are important Executive Committee goals.

Suicide and Depression Awareness and Prevention Program

The Director or designee shall develop, implement, and maintain a suicide and depression awareness and prevention program (Program) that advances the Executive Committee's goals of increasing awareness and prevention of depression and suicide. This program must be consistent with the requirements of *Ann Marie's Law* listed below; each listed requirement, 1-6, corresponds with the list of required policy components in the School Code Section 5/2-3.166(c)(2)-(7). The Program shall include:

1. Protocols for administering youth suicide awareness and prevention education staff. Implementation will incorporate Association policy 5:100, *Staff Development Program*, and teacher's institutes under 105 ILCS 5/3-14.8 (requiring coverage of the warning signs of suicidal behavior).
2. Procedures for methods of suicide prevention with the goal of early identification and referral of students possibly at risk of suicide. Implementation will incorporate:
 - a. The training required by 105 ILCS 5/10-22.39 for all Cooperative staff who work with students to identify the warning signs of suicidal behavior in youth along with appropriate intervention and referral techniques, including methods of prevention, procedures for early identification, and referral of students at risk of suicide; and
 - b. Ill. State Board of Education (ISBE)-recommended guidelines and educational materials for staff training and professional development, along with ISBE-recommended resources for students containing age-appropriate educational materials on youth suicide and awareness, if available pursuant to *Ann Marie's Law* on ISBE's website.
3. Methods of intervention, including procedures that address an emotional or mental health safety plan for use during the school day and at school-sponsored events for a student identified as being at increased risk of suicide including those students who: (A) suffer from a mental health disorder; (B) suffer from a substance abuse disorder; (C) engage in self-harm or have previously attempted suicide; (D) reside in an out-of-home placement; (E) are experiencing homelessness; (F) are lesbian, gay, bisexual, transgender, or questioning (LGBTQ); (G) are bereaved by suicide; or (H) have a medical condition or certain types of disabilities. Implementation will incorporate paragraph number 2, above, along with Executive Committee policies:

- a. 6:65, *Student Social and Emotional Development*, implementing the goals and benchmarks of the Ill. Learning Standards and 405 ILCS 49/15(b) (requiring student social and emotional development in the Cooperative's educational program);
 - b. 6:120, *Education of Children with Disabilities*, implementing special education requirements for the District;
 - c. 6:270, *Guidance and Counseling Program*, implementing guidance and counseling program(s) for students, and 105 ILCS 5/10-22.24a and 22.24b, which allow a qualified guidance specialist or any licensed staff member to provide school counseling services;
 - d. 7:10, *Equal Educational Opportunities*, and its implementing administrative procedure and exhibit, implementing supports for equal educational opportunities for students who are LGBTQ;
 - e. 7:50, *School Admissions and Eligibility for Services*, implementing State law requirements related to students who are in foster care;
 - f. 7:250, *Student Support Services*, implementing the Children's Mental Health Act, 405 ILCS 49/ (requiring protocols for responding to students with social, emotional, or mental health issues that impact learning ability); and
 - g. State and/or federal resources that address emotional or mental health safety plans for students who are possibly at an increased risk for suicide, if available on the ISBE's website pursuant to *Ann Marie's Law*.
4. Methods of responding to a student or staff suicide or suicide attempt. Implementation of this requirement shall incorporate building-level Student Support Committee(s) established through Executive Committee policy 7:250, *Student Support Services*.
 5. Reporting procedures. Implementation of this requirement shall incorporate policy 6:270, *Guidance and Counseling Program*, and Executive Committee policy 7:250, *Student Support Services*, in addition to other State and/or federal resources that address reporting procedures.
 6. A process to incorporate ISBE-recommended resources on youth suicide awareness and prevention programs, including current contact information for such programs in the Cooperative's Suicide and Depression Awareness and Prevention Program.

Illinois Suicide Prevention Strategic Planning Committee

The Director or designee shall attempt to develop a relationship between the Cooperative and the Illinois Suicide Prevention Strategic Planning Committee, the Illinois Suicide Prevention Coalition Alliance, and/or a community mental health agency. The purpose of the relationship is to discuss how to incorporate the goals and objectives of the Illinois Suicide Prevention Strategic Plan into the Cooperative's Suicide Prevention and Depression Awareness Program.

Monitoring

The Executive Committee's will review and update this policy pursuant to *Ann Marie's Law* and Executive Committee policy 2:240, *Executive Committee Policy Development*.

Information to Staff, Parents/Guardians, and Students

The Director shall inform each cooperative employee about this policy and ensure its posting on the Cooperative's website. The Director or designee shall provide a copy of this policy to the parent or legal guardian of each student enrolled in the Cooperative. Student identification (ID) cards, the Cooperative's website, and student handbooks and planners will contain the support information as required by State law.

Implementation

This policy shall be implemented in a manner consistent with State and federal laws, including the Student Confidential Reporting Act, 5 ILCS 860/, Children's Mental Health Act, 405 ILCS 49/, Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/, and the Individuals with Disabilities Education Act, 42 U.S.C. §12101 et seq.

The Cooperative, Executive Committee, and its staff are protected from liability by the Local Governmental and Governmental Employees Tort Immunity Act. Services provided pursuant to this policy: (1) do not replace the care of a physician licensed to practice medicine in all of its branches or a licensed medical practitioner or professional trained in suicide prevention, assessments and counseling services, (2) are strictly limited to the available resources within the Cooperative, (3) do not extend beyond the school day and/or school-sponsored events, and (4) cannot guarantee or ensure the safety of a student or the student body.

LEGAL REF.:

42 U.S.C. §1201 et seq., Individuals with Disabilities Education Act.

105 ILCS 5/2-3.166, 105 ILCS 5/2-3.139, 5/3-14.8, 5/10-20.76, 5/10-20.81, 5/10-22.24a, 5/10-22.24b, 5/10-22.39, 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02b, 5/27-7.

5 ILCS 860/, Student Confidential Reporting Act.

405 ILCS 49/, Children's Mental Health Act.

740 ILCS 110/, Mental Health and Developmental Disabilities Confidentiality Act.

745 ILCS 10/, Local Governmental and Governmental Tort Immunity Act.

CROSS REF.: 2:240 (Board Policy Development), 5:100 (Staff Development Program), 6:65 (Student Social and Emotional Development), 6:120 (Education of Children with Disabilities), 6:270 (Guidance and Counseling Program), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:250 (Student Support Services)

EXECUTIVE COMMITTEE APPROVAL: December 13, 2023

POLICY BOARD APPROVAL: August 9, 2023

STUDENTS

7:340 Student Records

School student records are confidential. Information from them shall not be released other than as provided by law. A school student record is any writing or other recorded information concerning a student and by which a student may be identified individually that is maintained by a school or at its direction by a school employee, regardless of how or where the information is stored, except as provided in State or federal law as summarized below:

1. Records kept in a staff member's sole possession.
2. Records maintained by law enforcement officers working in the school.
3. Video and other electronic recordings (including without limitation, electronic recordings made on school buses) that are created in part for law enforcement, security, or safety reasons or purposes. The content of these recordings may become part of a school student record to the extent school officials create, use, and maintain this content, or it becomes available to them by law enforcement officials, for disciplinary or special education purposes regarding a particular student.
4. Any information, either written or oral, received from law enforcement officials concerning a student less than the age of 18 years who has been arrested or taken into custody.

State and federal law grants students, parents/guardians, and when applicable, the Ill. Dept. of Children and Family Services' Office of Education and Transition Services, certain rights, including the right to inspect, copy, and/or challenge school student records. A student or the student's parent/guardian may request, in writing, that scores received on college entrance examinations be included on the student's academic transcript. The information contained in school student records shall be kept current, accurate, clear, and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child. The Cooperative may release directory information as permitted by law, but a parent/guardian shall have the right to opt-out of the release of directory information regarding his or her child. The Cooperative will comply with State or federal law with regard to release of a student's school records, including, where applicable, without notice to, or the consent of, the student's parent/guardian or eligible student. Upon request, the Cooperative discloses school student records without parent consent to the official records custodian of another school in which a student has enrolled or intends to enroll, as well as to any other person as specifically required or permitted by State or federal law.

The Director shall fully implement this policy and designate an *official records custodian* for each school who shall maintain and protect the confidentiality of school student records, inform staff members of this policy, and inform students and their parents/guardians of their rights regarding school student records.

LEGAL REF.:

20 U.S.C. §1232g, Family Educational Rights and Privacy Act; 34 C.F.R. Part 99.

50 ILCS 205/7, Local Records Act.

105 ILCS 5/10-20.12b, 5/10-20.40, and 5/14-1.01 et seq. 105 ILCS 10/, Ill. School Student Records Act.

105 ILCS 85/, Student Online Personal Protection Act.

325 ILCS 17/, Children's Privacy Protection and Parental Empowerment Act.

750 ILCS 5/602.11, Ill. Marriage and Dissolution of Marriage Act.

23 Ill.Admin.Code Parts 226 and 375.

Owasso I.S.D. No. I-011 v. Falvo, 534 U.S. 426 (2002).

Chicago Tribune Co. v. Chicago Bd. of Ed., 332 Ill.App.3d 60 (1st Dist. 2002).

CROSS REF.: 5:100 (Staff Development Program), 5:130 (Responsibilities Concerning Internal Information), 7:15 (Student and Family Privacy Rights), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

EXECUTIVE COMMITTEE APPROVAL: January 11, 2023

POLICY BOARD APPROVAL: August 9, 2023

Tazewell-Mason Counties Special Ed Association