

## 7:190 Student Discipline

### Philosophy of Student Conduct

The Board believes that student behavior should reflect standards of good citizenship. Students are expected to conduct themselves within the bounds set by the Board and, as hereby authorized, the administrative regulations set forth by the Superintendent or his/her designee.

The basic principles guiding student behavior are consideration for the rights and well-being of others, cooperation with all members of the school community (which includes staff, students, community members, Board and parents) and respect for oneself and others.

Rules and guidelines established by District 203 are intended to encourage positive, constructive, and responsible student behavior and an environment conducive to learning. All members of the school community are responsible and obligated to familiarize themselves with the rules and guidelines governing student conduct.

The Board especially believes that, if staff, parent(s) or guardian(s), and students know and understand the expectations for student conduct and the consequences for not meeting these expectations, behavior problems in our schools will be reduced and a better educational environment will prevail.

All members of the school staff share responsibility for maintaining good discipline and presenting positive role models. Behavior problems should be reported and handled promptly for the benefit of the student and the school. Recognizing that each situation is unique and that administrative discretion is necessary, the goal is to implement the appropriate disciplinary action needed to change the undesirable behavior and maintain an orderly school environment.

The best interest of the student and the welfare of others are the motivating forces behind this philosophy.

### Additional Interventions Related to Discipline Code

The District is concerned for the health, safety, and well-being of all students and recognizes that students' problems as they are manifested in school – specifically pertaining to behavior, attendance, health, and academic issues, may impact their ability to learn.

The District recognizes these issues as legitimate educational concerns, and seeks to address them, because they can influence student learning. The District offers assistance, support, and interventions. Forms of prevention/education may include observation of inappropriate behavior, intervention at appropriate levels, encouragement of professional assessment, referral, and support/aftercare.

#### Notification Regarding School Searches

Students are hereby notified that school lockers, desks, storage facilities and other school property are subject to searches at any time for any reason. Furthermore, students have very limited expectations of privacy on school property and are hereby notified that, to further the school's interest in the educational needs and safety of all students, the school may search any student property, including bags, backpacks, clothing, purses, any electronic device including computers, tablets, telephones, cameras or other electronic devices that have the ability to take, store, display, or send images, videos, or text messages with embedded images, and automobiles, whenever the administration has reason to suspect that the search will disclose a criminal violation or a violation of a school policy, rule or regulation.

#### Substance Abuse

To ensure the highest standards of learning in the classroom, District staff will urge students to abstain from the use of chemical substances, identify student behavior which may indicate chemical involvement, use or abuse, and implement intervention or support services along with appropriate disciplinary action.

#### Student Discipline

District 203 believes in the dignity and uniqueness of each individual. In order to maintain learning and work environment that is safe and promotes excellence in education, District 203 encourages respect for all persons and will not tolerate harassing, bullying or intimidating behavior.

The primary responsibility for student discipline within the school rests with the individual building principal. The primary responsibility for the maintenance of discipline within the classroom lies with the individual classroom teacher.

The Board has established specific rules and regulations to govern the discipline of its students when a student's conduct constitutes gross disobedience or gross misconduct, as determined by the Administration or the Board.

Special education students (those with an IEP) exhibiting gross disobedience or misconduct shall, be disciplined in accordance with laws and regulations governing special education.

Students who are suspended externally or expelled are to be excluded from all District 203 activities and property for the duration of their suspension or expulsion. A student who is subject to suspension or expulsion as provided in this Section may be eligible for a transfer to an alternative school program in accordance with Article 13A or 13B of the School Code. A student must not be denied transfer because of the expulsion, except where the transfer would cause a threat to the safety of students or staff in the alternative program.

Parent/guardian will receive a copy of the student discipline policy within 15 days after school begins or when the student enrolls if enrollment occurs after the beginning of the school term. Within the first week of school the students will be helped to understand the contents of the discipline policy. Students will be required to sign a receipt for the handbook.

#### 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.

Administrators shall report violations to the Naperville Police Department or other law enforcement agencies, as appropriate.

#### Prohibited Student Conduct

The following examples in no way limit the Board's ability to discipline students for violations which are not specifically listed. In addition, a violation shall be interpreted to

include either an actual commission of an offense or an attempt to commit an offense. The school administration is authorized to discipline students for gross disobedience or misconduct, including but not limited to:

1. Excessive tardiness.
2. Class and/or school truancy. Current city ordinances and State law regarding truancy will be strictly enforced by school officials.
3. Off campus violation during the school day. Once students arrive on campus they must remain on campus until the end of their scheduled school day unless authorized or approved by the building or District administration.
4. Violation of the disciplinary rules and regulations contained in the Student Handbook not otherwise covered in this policy.
5. Misconduct or promotion of misconduct on District property, at school sponsored activities, at a school bus stop, or as a school bus passenger.
6. Disruptive behavior which interferes with the educational atmosphere in the school or at any school-sponsored activity.
7. Gambling.
8. Forgery and/or falsifying information.
9. Cheating/Plagiarism.
10. Use of profane or obscene language.
11. Unauthorized use of school property.
12. Disregard for student parking regulations.
13. Insubordination to a District employee.
14. Entering school property or a school facility without proper authorization.
15. Posting of signs and /or other materials without administrative approval.
16. Violation of Bus Conduct Policy or related Administrative Regulations.
17. Use of cellular phones and any other electronic communication devices from the beginning of the first class period until the end of the last class period unless authorized or approved by the building or District administration. For high school authorization, see student handbook.
18. Use of any electronic device including computers, tablets, telephones, cameras, or other electronic devices that have the ability to take, store, display, or send images, videos, or text messages with embedded images on school grounds during the course of the school day unless authorized or approved by the building or District administration. Inappropriate use of such devices is prohibited at all times on school grounds and at all school sponsored activities. This may include displaying, sending or posting at any time any images, video, and/or text messages produced without permission.
19. Obtaining or gaining passwords, unapproved access to District's information network, computing systems and applications, solutions or components thereof

through the use of social engineering, possession or use of hacking hardware or software or any other tools or applications that can be used maliciously and pose a threat to the District's information resources, systems or data, unless approved by teachers or building administrators.

20. Unauthorized or improper use of (or access to) the District's information network, computing systems and applications, solutions or components thereof. This includes accessing technology related resources on any device connected to the District's information network by circumventing District security measures to gain access to non-approved or restricted web sites, systems and applications as well as violations of the *Access to Electronic Networks Policy 6.235*.
21. Performing manual or automated actions such as installing unapproved software, computer programs or routines that alter the normal functioning state of any District computing device or system.
22. 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.
23. Wearing hats, caps, or head-coverings of any kind by individuals from the time they enter the school building until they exit the school building unless otherwise approved by the building principal or required for religious purposes. Wearing coats, jackets and other outdoor wear in the building during the school day (from the first class period bell until the bell ending the last class period), unless otherwise approved by the building principal. Coats and hats are to be stored in student lockers or other designated places during the school day.
24. Wearing or display of garments, objects, jewelry, or body art that depict distasteful symbols debasing the dignity of a person or that depict or promote use of alcohol or drugs or that contain sexually explicit, obscene, or vulgar messages or symbols at school or at any school-sponsored activity. Wearing or display of spiked or dangerous jewelry, garments or objects at school or at any school-sponsored activity.
25. Participating in any act, possession, distribution and or transfer of any material of a sexual nature.
26. Perpetrating on an unwilling person an act which is of a sexual nature.
27. Possession of lighters, matches or other such materials.
28. Failure to follow student schedule.

29. Demonstrating aggressive behavior or behaviors that put the student at risk for aggressive behavior. Aggressive behavior is defined as conducts and behaviors towards others that appear to terrorize, intimidate or start fights.
30. Any activity on or off school property that interferes with, disrupts or adversely affects the school environment, school operations or educational function.
31. Operating an unmanned aircraft system (UAS) or drone for any purpose on school grounds or at any school event unless granted permission by the Superintendent or designee.
32. Fighting.
33. Damage resulting from misconduct; intentional damage to school property or personal property of District employees, students or others; or criminal damage to property of any such persons. (Restitution will be required for any violation of this provision).
34. Possession, use or misuse of an over the counter drug or prescription drugs. Refer to *Administering Medication to Students Policy 7.270*.
35. Smoking, possession, use, sale, or distribution of tobacco products or nicotine delivery device (e-cigarette, vapor pen) in any form on school grounds or at any school related activity. Smoking, possession of a lighted cigarette or use of tobacco products on adjacent property or within visible sight of the school grounds. Violation of any current city ordinances and State law regarding tobacco. Students under the age of 18 will be referred to the Naperville Police Department for additional intervention.
36. Gross insubordination or disrespect toward Board members, administrators, teachers, custodial staff, secretarial staff, food service employees and other District employees and volunteers.
37. Theft, including taking the property of others without their permission or consent. Possession of stolen items. Possession of tools that are used to gain possession of another person's property.
38. Possession or use of fireworks (i.e. smoke bombs, stink vials, firecrackers, caps, etc.).
39. Participation in any unauthorized club secret society, satanic activity, and/or gang activity. This includes, but is not limited to the display, wearing, or possession of contemporary gang identifiers, the use of gang hand signals, the solicitation of others for membership, and requesting payment of dues, insurance, or other forms of protection from individuals. This also includes intimidating, or threatening an individual or inciting others to participate in any form of physical violence involving a person or property.
40. Use of derogatory comments which are often, but not always, associated with race, ethnicity, religion, gender, sexual orientation, socioeconomic status, or physical differences, with the intent to be disrespectful.

41. Hazing, aggressive or demeaning behavior that does or may result in physical, emotional or psychological harm to another or urging other students to engage in such conduct. Hazing is defined as requiring a student to perform an act for the purpose of induction or admission into any group, organization or society associated with District 203.
42. Harassment, which is often, but not always, associated with race, ethnicity, religion, gender, sexual orientation, socioeconomic status, or physical differences, and which includes intimidation, threatening individuals or inciting the participation of others in such behavior through, but not limited to, the use of email, web sites, social networking sites, voice mail, or any other verbal, written or electronic communication..
43. Bullying or cyber bullying.
44. Sexual harassment is a form of sex discrimination that involves sexual advances, requests or sexual favors, the distribution or transfer of images, or other conduct of a sexual nature when such conduct interferes with an individual's education performance or creates an intimidating, hostile or offensive educational environment. Refer to Administrative Regulation #7.20R for further definitions of Sexual Harassment.
45. Possession of a weapon. For purposes of this provision, "weapon" means a firearm (as defined in "Weapons in School" below), including any gun, handgun, rifle, shotgun, or machinegun; a BB gun; pellet gun; air gun; paintball gun; pneumatic gun; spring gun; ammunition for any of the foregoing, knife, razor, stiletto, throwing star, dagger, dirk, broken bottle or other piece of glass; metal knuckles or other knuckle weapon, regardless of its composition; billy club; bludgeon; black-jack; sling-shot; sand-club; sand-bag; stun gun or taser; tear gas gun projector or bomb or any object containing noxious liquid gas or substance; or any other weapon as defined herein; or any other object that is used to inflict harm, is used to threaten harm, or has been modified so that it can inflict harm. "Firearm" is defined as (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any explosive, incendiary, or poison gas – (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge, (v) mine, (vi) device similar to any or the devices described in the preceding clauses.
46. Actions threatening the well-being of Board members, District employees, students, volunteers, or other persons including physical assaults upon District Employees, Board members, students, volunteers or other persons.
47. Transfer, sale, purchase, possession, use, abuse of, or being impaired by any alcoholic beverage, intoxicant, prescription drug not properly prescribed, inhalant,

narcotic, cannabis, so called “pep pills” or “speed”, tranquilizers, “look-alike” drugs or any other controlled substance, or other illegal substance while on school premises or attending school-sponsored activities. Transfer, sale, purchase, abuse of, or being impaired by a non-prescription drug. The terms transfer, sale and purchase include any involvement in such activity or the attempt to conduct such activity.

The terms “possession” and “use” shall include possession or use by a student who has consumed, or is impaired by, or reasonably appears (such as through odor or behavior) to have consumed or be impaired by, any of the aforementioned substances, whether prior to entering school or at any school-sponsored event.

The term “intoxicant” includes any substance which is not properly prescribed and which, if used, is intended to produce an altered physical or mental state, including, for example, an inhalant which produces a “high”.

48. Possession or use of any drug paraphernalia.
49. Use or possession of anabolic steroids not properly prescribed.
50. Activating or causing to be activated a false fire alarm or disaster alarm.
51. Making or causing to be made a threat against the school: bomb threat, school shooting, etc.
52. Deliberately causing, attempting, or threatening to cause injury to another person.
53. Possession or use of an explosive or incendiary device.
54. Any activity prohibited by criminal law or municipal ordinance.

### Weapons in School

The Board may expel a student for a weapons violation for a definite period of time not to exceed 2 calendar years, as determined on a case by case basis. Prior to any expulsion hearing, the Administration will make a recommendation to the Superintendent for the term of the expulsion based on the circumstances involved with the student.

A student who is determined to have brought a weapon 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 not less than one year. For purposes of this provision, a “weapon” is defined as:

- (1) A firearm. For the purposes of this Section, “firearm” means any gun, rifle, shotgun, weapon as defined by Section 921 of Title 18 of the United States Code, firearm as defined in Section 1.1 of the Firearm Owners Identification Card Act, or firearm as defined in Section 24-1 of the Criminal Code of 1961. The expulsion period under this subdivision (1)



may be modified by the Superintendent, and the Superintendent's determination may be modified by the Board on a case-by-case basis.

- (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 in subdivision (1) of this subsection. The expulsion requirement under this subdivision (2) may be modified by the Superintendent, and the Superintendent's determination may be modified by the Board on a case-by-case basis.

The prohibition concerning weapons applies regardless of whether a student is licensed to carry a concealed firearm.

The Superintendent or designee may grant an exception to this prohibition 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.

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 items is: (a) on the student's person; (b) contained in another item belonging to, or under the control of, the student, such as in the student's clothing, backpack, or automobile; (c) in a school's student locker, desk, or other school property; or (d) at any location on school property or at a school-sponsored event.

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

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

### Disciplinary Measures

School officials shall limit the number and duration of expulsions and out-of-school suspensions to the greatest extent practicable, and, where practicable and reasonable,

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

1. Notifying parent(s)/guardians(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 building principal or designee shall ensure that the student is properly supervised.
7. After-school detention or Saturday detention 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 building principal or designee.
8. Seizure of contraband; confiscation and temporary retention of personal property that was used to violate this policy or school disciplinary rules.
9. Suspension of bus riding privileges in accordance with Board policy 7:220, *Bus Conduct*.
10. Out-of-school suspensions 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 period not to exceed 2 calendar years in accordance with Board policy 7:210, *Expulsion Procedures*. A student who has been expelled may also be restricted from being on school grounds and at school activities.
12. Transfer to an alternative program if the student is expelled or otherwise qualifies for the transfer under State law. The transfer shall be in the manner provided in Article 13A or 13B of the School Code.
13. Notifying juvenile authorities or other law enforcement whenever the conduct involves criminal activity, including but not limited to, illegal drugs (controlled substances), "look-alikes," alcohol, or weapons or in other circumstances as authorized by the reciprocal reporting agreement between the District and local law enforcement agencies.

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

reasonable and practical way to resolve the threat and/or address the disruption is a suspension or expulsion.

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

#### Re-Engagement of Returning Students

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

#### Early Identification – Aggressive Behavior

Any school staff member, who identifies a student as having demonstrated aggressive behavior, or behaviors that put the student at risk for aggressive behavior, shall refer the student to the building administrator. The building administrator shall establish procedures by which teachers may refer such a student. The building administrator shall determine whether the conduct and behavior of the student are of such a nature and degree that the student is at risk for aggressive behavior. The building administrator shall promptly notify the student's parents/guardian of the referral and shall attempt to schedule a parent-teacher conference to discuss the referral and to recommend such available early intervention procedures as are deemed reasonably appropriate.

#### Required Notices

A school staff member shall immediately notify the building principal as soon as possible in the event that he or she (1) observes any person in possession of a firearm on or around school grounds (2) observes or has reason to suspect that any person on school grounds is or was involved in a drug-related incident, (3) observes a battery committed against any staff member, or (4) observes hazing of a student that results in bodily harm. If the hazing results in great bodily harm or death, the school staff member shall immediately notify law enforcement and then the building principal or Superintendent. Such action may be delayed if immediate notice would endanger students under his or her supervision. Upon receiving such a report, the building

principal or designee shall immediately notify the student's parent(s)/guardian(s), the State Police and the local law enforcement agency.

### Reciprocal Reporting

The Superintendent is authorized to follow the provisions of the School Code of Illinois to create administrative regulations which include guideline procedures to establish and maintain a reciprocal reporting system between the District and local law enforcement agencies regarding criminal offenses committed by students.

### LEGAL REF.:

Gun-Free Schools Act, 20 U.S.C. §7151 *et seq.*

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

105 ILCS 5/10-20.14, 5/10-21.10, 5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/24-24, 5/31-3, 410 ILCS 130/, 410 ILCS 647, and 420 ILCS 66/.

23 Ill. Admin. Code §§1.210 and §1.280.

720 ILCS 5/12-10

710 ILCS 5/12-10.1

720ILCS 5/12C-50.1(b)

CROSS REF.: 2:150 (committees), 2:240 (board policy development), 5:230 (maintaining student discipline), 6:110 (truant's programs), 6:235 (access to electronic networks), 7:20 (harassment of students prohibited), 7:70 (truancy), 7:130 (student rights and responsibilities), 7:140 (search and seizure), 7:150 (police interrogation), 7:160 (student appearance), 7:170 (vandalism), 7:180 (bullying, intimidation and harassment), 7:183 (open campus/lunch), 7:200 (suspension procedure), 7:210 (expulsion procedures), 7:220 (bus conduct), 7:230 (student with disabilities), 7:240 (high school co-curricular code), 7:270 (administering medication to students), 8:30 (conduct on school property).

ADOPTED: May 7, 1997

Revised: April 19, 2010; April 18, 2011; April 6, 2012; April 15, 2013; April 21, 2014; April 20, 2015; May 16, 2016

**NAPERVILLE COMMUNITY UNIT SCHOOL DISTRICT 203**