

# MCUSD Discipline FAQ's

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1. What are the rights and responsibilities of students?
  - a. Students are entitled to enjoy the rights protected by the Federal and State Constitutions and laws for persons of their age and maturity in a school setting. Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others, District policies, or SVHS rules will be subject to disciplinary measures.
  - b. It is the philosophy of the district to not only ensure rights of students are protected, but that positive relationships are built to work toward ensuring negative behaviors don't continue to persist.
  - c. Due Process
    - i. A student has the right to hear the charges/evidence against him/her.
    - ii. A student has the right to tell his/her side of the story.
    - iii. A student (and parent/guardian) has a right to be informed of the decision.
    - iv. A student and that student's parents/guardians have a right to a hearing with:
      1. Principal
      2. Superintendent
      3. Board of Education
2. When are the police called?
  - a. Schools have a right and a responsibility to report crimes to the police. Schools do not need to get a parent's permission before reporting a crime. The police are contacted when deemed appropriate by administration.
  - b. Police can and have been contacted for the following reasons:
    - i. Disorderly Conduct
    - ii. Battery
    - iii. Theft
    - iv. Drugs
    - v. Alcohol
    - vi. Vandalism
    - vii. Destruction of Property
    - viii. Weapons
    - ix. Other illegal acts when deemed appropriate
  - c. Parent permission is required or presence is requested before students are interviewed, unless the parents are the subject of the investigation.
3. What is the threshold for assigning discipline?
  - a. Discipline is assigned to students when there is evidence that they have violated the law, board policy, or student handbook policy.
  - b. The threshold varies depending on the incident and the evidence.
    - i. Proof does not always mean beyond a reasonable doubt. This is not a court of law.
  - c. Administrators have discretion in how they assign discipline.
    - i. The goal is to remediate and prevent negative behavior.

- ii. We pride ourselves on consistency, but fair is not always equal.
- 4. Can one witness be enough?
  - a. There have been incidents in the past that there have been no witnesses that have resulted in disciplinary action taken against a student. In some incidents, there is enough other evidence that enables administration to pass judgment on a student's innocence or guilt.
- 5. What is the process for handbook approval?
  - a. Meet with students to discuss handbook and possible changes
  - b. Meet with parents and teachers to discuss handbook and possible changes
  - c. District and school administration meet to discuss handbook and possible changes
  - d. Possible changes presented to school board for approval or non-approval
- 6. Can you do things outside of the handbook?
  - a. Must follow Illinois School Code and School Board Policy
  - b. Approved disciplinary measures include:
    - i. Disciplinary conference.
    - ii. Withholding of privileges.
    - iii. Seizure of contraband.
    - iv. Suspension from school and all school activities for up to 10 days, provided that appropriate procedures are followed. A suspended student is prohibited from being on school grounds.
    - v. Suspension of bus riding privileges, provided that appropriate procedures are followed.
    - vi. Expulsion from school and all school-sponsored activities and events for a definite time period not to exceed 2 calendar years, provided that the appropriate procedures are followed. An expelled student is prohibited from being on school grounds.
    - vii. Notifying juvenile authorities or other law enforcement whenever the conduct involves illegal drugs (controlled substances), "look-alikes," alcohol, or weapons.
    - viii. Notifying parents/guardians.
    - ix. Temporary removal from the classroom.
    - x. In-school suspension for a period not to exceed 5 school days. The Building Principal or designee shall ensure that the student is properly supervised.
    - xi. 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 Building Principal or designee.
    - xii. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs. The District will not provide transportation. School administration shall use this option only as an alternative to another disciplinary measure giving the student and/or parent/guardian the choice. A student who is subject to suspension or expulsion may be eligible for transfer to an alternative school program.
  - c. 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.

7. What does a typical investigation look like?
  - a. Investigations are not always the same, it depends on the situation.
  - b. There are times when administrators collaborate with one another on difficult or non-typical investigations.
  - c. Following is the most common investigation procedure:
    - i. Information received from students, parents, or staff
    - ii. Speak with witness(es) (if any)
    - iii. Speak with victim(s) (if any)
    - iv. Speak with alleged violator
    - v. Review evidence
    - vi. Inform violator of consequence
    - vii. Contact parents
      1. Parent is usually contacted prior to police involvement in cases that are non-emergent, non-violent, and do not involve illegal drugs.
    - viii. Contact police (if necessary)
8. What does a bullying report look like?
  - a. Students are encouraged to report claims or incidences of bullying, harassment, sexualharassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, or a Complaint Manager. A student may choose to report to a person of the student's same sex. Complaints will be kept confidential to the extent possible given the need to investigate. Students who make good faith complaints will not be disciplined.
  - b. The following form is documented on Google Drive when bullying or harassment is reported to counselors or administration at SVHS.

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# Meridian Bullying & Harassment Form

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## Bullying & Harassment Report Form

Your username (**[jvoltz@mail.meridian223.org](mailto:jvoltz@mail.meridian223.org)**) will be recorded when you submit this form. Not**jvoltz**? [Sign out](#)

\* Required

***Date & Time:*** \*

Example: 03/05/2013 11:30 AM

***Staff Name*** \*

***Person Reporting Incident*** \*

## Report Made \*



## Bullying Screening \*

Bullying: Bullying is unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. In order to be considered bullying, the behavior must be aggressive and include:

- An Imbalance of Power: Kids who bully use their power—such as physical strength, access to embarrassing information, or popularity—to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.
- Repetition: Bullying behaviors happen more than once or have the potential to happen more than once. Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose.

Harassment: Unwelcome conduct or communication that either substantially interferes with a student's school performance or that creates an intimidating, hostile, or offensive environment at school. This includes the use of ethnic or racial slurs.

- Bullying
- Harassment
- Other Negative Peer Interaction

## Action Taken \*

- Tier 1
- Tier 2
- Tier 3
- Other:

## Select Action: \*

- Student Mediation
- Counseling
- Counselor / Administrative Mediation
- Discipline
- Other:

## Date / Time of Action: \*

Example: 03/05/2013 11:30 AM

## Parent Contacted

### Contact Information:



### Contact Date / Time:

Example: 03/05/2013 11:30 AM

### Comments:



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## 9. Highland Discipline / OSS Data 2012-2014

<i>Most Frequent Actions</i>	<i>06-07 School Year</i>	<i>07-08 School Year</i>	<i>08-09 School Year</i>	<i>09-10 School Year</i>	<i>10-11 School Year</i>	<i>11-12 School Year</i>	<i>12-13 School Year</i>	<i>13-14 School Year</i>	<i>Increase/Decrease from 12-13</i>	<i>% Inc. / Dec.</i>
Minors	N/A	N/A	N/A	NA	NA	NA	69	74	+5	+6.76 %
Majors	N/A	N/A	N/A	NA	NA	NA	25	16	-9	-36 %
In-School Suspensions	0	0	0	0	0	0	0	0	0	0.0%
Out of School Suspensions	0	0	0	0	0	0	0	0	0	0.0%

### MC Discipline / OSS Data from 2006-2014

<i>Most Frequent Actions</i>	<i>06-07 School Year</i>	<i>07-08 School Year</i>	<i>08-09 School Year</i>	<i>09-10 School Year</i>	<i>10-11 School Year</i>	<i>11-12 School Year</i>	<i>12-13 School Year</i>	<i>13-14 School Year</i>
Minors	N/A	N/A	N/A	526	625	520	472	257
Majors	N/A	N/A	N/A	102	97	11	30	15
In-School Suspensions	0	0	0	0	0	2.5	0	5
Out of School Suspensions	0	0	0	0	0	4	0	1

### MJHS Discipline / OSS Data from 2006-2014

<i>Most Frequent Actions</i>	<i>06-07 School Year</i>	<i>07-08 School Year</i>	<i>08-09 School Year</i>	<i>09-10 School Year</i>	<i>10-11 School Year</i>	<i>11-12 School Year</i>	<i>12-13 School Year</i>	<i>13-14 School Year</i>	<i>Increase/Decrease from 12-13</i>	<i>% Inc. / Dec.</i>
Detentions	unknown	unknown	32	109	117	56	249	136	-113	-45.4 %
Saturday Schools	unknown	unknown	unknown	unknown	unknown	unknown	29	34	5	17.2 %
In-School Suspensions	10	13	unknown	3	27	24	15	16	1	6.6%
Out of School Suspensions	7	13	unknown	3	38	28	25	27	2	8.0%

### SVHS Discipline / OSS Data from 2006-2014

<i>Most Frequent Actions</i>	<i>06-07 School Year</i>	<i>07-08 School Year</i>	<i>08-09 School Year</i>	<i>09-10 School Year</i>	<i>10-11 School Year</i>	<i>11-12 School Year</i>	<i>12-13 School Year</i>	<i>13-14 School Year</i>	<i>Increase/Decrease from 12-13</i>	<i>% Inc. / Dec.</i>	<i>Increase/Decrease from 06-07</i>	<i>% Inc. / Dec.</i>
Detentions	578	490	442	394	508	350	653	599	-54	-8.27%	21	3.63%
Saturday Schools	649	552	485	364	567	307	412	285	-127	-30.83%	-364	-56.09%
In-School Suspensions	233	281	102	266	225	201	253	210	-43	-17.00%	-23	-9.87%
Out of School Suspensions	141	81	93	94	57	36	47	57	10	21.28%	-84	-59.57%

10. How is the discipline of a special education different? (Information obtained from the following website: [http://www.isbe.net/spec-ed/pdfs/parent\\_guide/ch10-student\\_discipline.pdf](http://www.isbe.net/spec-ed/pdfs/parent_guide/ch10-student_discipline.pdf))
- a. Special education laws cannot hinder school safety. A student with a disability can receive the same punishments as other students, with one exception – a suspension beyond 10 days. A student with a disability cannot be disciplined more severely than other students for breaking the same rule. If a student without a disability can be suspended for up to three days for breaking a specific rule, a student with a disability cannot be suspended for more than three days for breaking the same rule.
  - b. Every student, whether or not the student has an IEP, may be suspended up to 10 school days per year for violations of student conduct. When a student faces a suspension that could result in removal from education for more than 10 consecutive school days, or when the suspension would cause the student to exceed 10 school days of suspension for the school year, the district is required to conduct a Manifestation Determination Review (“MDR”) with members of the IEP team and the parent. An MDR is conducted to decide if the student’s disability was the primary cause of the incident in question. The two possible outcomes of an MDR are:
    - i. The student’s disability IS the primary cause for the incident. In this case, the district may NOT discipline the student (i.e., impose a suspension or expulsion on the student in accordance with procedures required for all students in the district).
    - ii. The student’s disability IS NOT the primary cause for the incident. In this case, the student may be recommended for suspension or, in the case of expellable conduct, recommended for an expulsion hearing before the appropriate school district authorities.
11. How is discipline different for transportation?
- a. All students must follow the District’s School Bus Safety Guidelines. The Superintendent, or any designee as permitted in The School Code, is authorized to suspend a student from riding the school bus for up to 10 consecutive school days for engaging in gross disobedience or misconduct, including but not limited to, the following:
    - i. Prohibited student conduct as defined in School Board policy, 7:190, *Student Discipline*.
    - ii. Willful injury or threat of injury to a bus driver or to another rider.
    - iii. Willful and/or repeated defacement of the bus.
    - iv. Repeated use of profanity.
    - v. Repeated willful disobedience of a directive from a bus driver or other supervisor.
    - vi. Such other behavior as the Superintendent or designee deems to threaten the safe operation of the bus and/or its occupants.
  - b. If a student is suspended from riding the bus for gross disobedience or misconduct on a bus, the School Board may suspend the student from riding the school bus for a period in excess of 10 days for safety reasons. The District’s regular suspension procedures shall be used to suspend a student’s privilege to ride a school bus.

12. Who can watch videos? (Information was obtained from:

<http://www.districtadministration.com/article/legal-implications-surveillance-cameras>)

a. **Access to Recordings**

- i. Most of the time, surveillance recordings capture nothing other than images of students and staff traveling to and from their destinations. There is little reason for districts to preserve the images. But when recordings capture misconduct, such as a student fight or theft, school administrators may wish to maintain the recordings as part of their investigation and may wish to use the recordings in disciplinary proceedings against the student.

When the recording is maintained by the school for disciplinary purposes such as these, the recording will likely qualify as an education record under FERPA. If so, the parents of the students who are subject to discipline are entitled to view the recording. Likewise, school administrators are obligated to protect the confidentiality of the recording from third parties.

But if local media become aware of an incident and request to view the recording, is the recording a public record that must be disclosed to the media? Are school officials required to obtain consent from the parents of all the students in the recording?

Whether the recording is subject to disclosure will depend on several factors:

- the events and images recorded;
- the purpose for which the recording has been maintained;
- whether the recording is maintained by school officials or by a law enforcement unit of the school;
- the requirements of the state's open-records laws, specifically whether a recording constitutes a public record;
- if the recording qualifies as a FERPA-protected education record; and
- whether the district has the technology to redact images, such as blurring faces, of students who may be identified.

Typically, FERPA-protected education records are excepted from the disclosure requirements of open-records laws. So if the recording is maintained by school officials as an education record because, for instance, it contains images of a student in an altercation, the district's obligations under FERPA to protect the confidentiality of the recording will, in most cases, override its open-records obligations.

Sometimes a district would like to disclose a surveillance tape, but is prohibited from doing so, and sometimes a district would prefer not to disclose a tape, but is obligated to do so. Whether or not a recording qualifies as an education record



and to whom it may or must be disclosed should be reviewed on an individualized basis, taking into account all the factors.

*Amy M. Steketee is a former public school educator who practices school law and labor and employment law at Faegre Baker Daniels in South Bend, Ind.*