

This handbook is to provide students and parents with information regarding the policies and procedures governing the Treatment and Learning Center. These guidelines are applied as consistently as possible. It must be recognized that the Treatment and Learning Center serves a diverse population. These policies provide a general guideline of how the program is implemented but the staff must remain flexible in the implementation in order to accommodate the individual needs of the students. This handbook is a summary of board policies, state and federal laws and regulations, and building procedures. Board policies are available at each program and at the offices of Eastern Illinois Area of Special Education. This handbook may be amended at any time during the school year without notice.

Table of Contents

Mission Statement.....	4
Motto.....	4
Program Description.....	5
Parent Involvement.....	6
Roles of Staff.....	6
Counseling Services.....	7
SVE Work Program.....	8
Awards Day.....	8
The Tri-Level Charting System.....	9
Field Trip – Level A and B – Out of Building.....	10
Consent for Field Trip.....	10
Field Trip – Level C – Movie.....	10
The IEP Meeting.....	11
Reintegration into The Home School.....	12
Placement in TLC Classrooms in a Regular School.....	12
Hierarchy of Interventions.....	13
Student Guidelines.....	14
TLC Dress Code.....	14
Use of Quiet Room.....	15
Use of Physical Restraint.....	16
Alternative Education Room (AER).....	16
In School Suspension (ISS).....	17
Out-of-School Suspension and Expulsions.....	17
Attendance.....	18
Truant Student Pick Up.....	19
Student Illness / Injury.....	19
Student Make-Up Time After School (Late Stays).....	20
Possession of Drugs and Other Illegal Substances at School.....	21
Suicide Threat, Suicide Attempt, Self-Abuse Behaviors, or Loss of Reality Orientation by a Student.....	21
Student Refusing To Go Home.....	22
Agency Involvement.....	22
Discipline on Gangs.....	22
Destruction of School Property.....	23
Care of Books and Equipment.....	23

Police Involvement.....	23
Metal Detectors.....	24
Search.....	24
Seizure of Items.....	25
Possession of Electronic Communication Devices.....	26
Mandated Reporting of Child Abuse and Neglect.....	26
Release of Information.....	27
Use of Recording Devices.....	27
Students Personal Belongings.....	28
Hallway Rules.....	28
Bus Behavior.....	29
Transportation.....	29
Academic Instruction.....	30
Report Cards.....	30
Credits.....	30
Graduation.....	30
Earning Extra Credits.....	30
Coursework Dealing With Recognizing and Avoiding Sexual Abuse and Abduction.....	31
Social Promotion.....	31
Athletic / Extra-Curricular Code.....	31
Physical Education.....	31
PE Dress Code.....	31
Drivers Education.....	31
Administration of Medication.....	32
Lice / Scabies / Communicable Infections.....	32
Immunizations and Health Records.....	32
School Insurance.....	32
Medicaid Payment.....	33
Crisis Preceding Ambulance.....	33
Asbestos Information.....	34
Notification of Use of Pesticides.....	34
Lunch (Charges and Payments).....	34
Visitor Sign – In.....	34
Accommodations Available for Parents with Disabilities.....	34
Snow Day Procedure.....	35
Harassment.....	36
Free and Appropriate Public Education.....	36
Waiver of School Fees.....	36
Non-Discrimination.....	36
Sex Equity.....	36
Student Records.....	37-42
Protection of Pupil Rights.....	42
Military Recruiters Access to Directory Information.....	42
Appendixes	
EIASE Procedures for Placement Into Behavior Disorder / Emotional Disorder Programs (K-12).....	43-45
EIASE Behavior / Emotional Disorders Eligibility – Entrance – Exit Criteria.....	46-52
EIASE Behavioral Interventions Policies and Procedures.....	53-56
Explanation of Procedural Safeguards Available to Parents and Students with Disabilities (ISBE 34-57J).....	57-70
EIASE Internet Policy and Regulations.....	71-77

Mission Statement

The mission of the Treatment and Learning Center is to change the student's behavior by teaching them appropriate coping skills in order to assist the student in being successful in the home school environment.

Motto

You cannot be given a life by someone else.

Of all the people you will know in a lifetime, you are the only one you will never leave nor lose.

To the questions of life, you are the only answer.

To the problems of life, you are the only solution.

PROGRAM DESCRIPTION

The Treatment and Learning Center (TLC) is a placement option for students who need services with a disability of behavioral or emotional disorders. The programs are for students who, even with the use of supplementary aides and services, cannot function adequately in the regular classroom. The three TLC programs are located in separate facilities in Humboldt, Kansas and Funkhouser. These programs are offered through the Eastern Illinois Area of Special Education (EIASE), which helps to provide special education services to school districts in Clark, Coles, Cumberland, Douglas, Edgar, Effingham, Moultrie, and Shelby counties.

The TLC programs focus on helping students change their behavior so that they can become successful in the regular school environment. (The self-contained classrooms have approximately ten students with a trained behavior disorder teacher and at least one teacher assistant.) Staff members attempt to provide consistent behavior management programs so that the students clearly understand the consequences of their choices. Extra assistance is provided to students in their academic areas where they may have fallen behind. Additionally, counseling is provided to all students to help them learn the skills to cope with their educational demands. Students who are over sixteen years of age receive vocational classes and opportunities to work while receiving high school credit. The TLC program tries to help its students become responsible for their behavior, and be successfully reintegrated into their home school.

Parent Involvement

Parental involvement is highly encouraged in order to assure the success of the student. Input is valuable in the Multi-Disciplinary Staff Conference (MDSC) as well as the annual review of the Individualized Education Program (IEP). Parent contact is also beneficial on a frequent basis through phone conversations, daily notes to and from staff, and scheduled conferences. Effective communication between the staff and parents is a positive signal to the student of mutual concern for his/her success.

Roles of Staff

The **classroom teachers** plan the academic curriculum of their assigned students. They teach, manage student IEP's, communicate with parents and professionals, and team with staff. They are ultimately responsible for grading, recording, and disciplining the students.

The **classroom assistants** are an important part of each classroom team. They are responsible to carry out school disciplinary procedures. They also lead academic groups as assigned, giving extra support and guidance or in some cases, one-on-one training.

The **counselors/social workers** work with each student individually on an on-going basis and are required to give individual counseling as stated in the IEP. They lead each classroom in social skills training and provide crisis intervention as needed. They network with community agencies, advocate for students and families, and participate in evaluation of students' abilities.

The **building administrator** is responsible for all-building personnel and management/supervision of all academic and behavioral issues. The TLC administrator reports to the Executive Director of Eastern Illinois Area of Special Education. Trains staff.

The **prevocational coordinator** matches the student with a job of interest, teaches the SVE class, checks on students on the job, and coordinates all necessary paperwork for the STEP program. The coordinator works closely with the principals, employers, teachers and assistants, ORS counselors, and students.

The **speech pathologist** works with students on an individual and group basis. They work with students who have been identified as having a speech/language disability or need related services to meet the students' educational needs.

The **program secretary** is the gatekeeper of the building by directing visitors and phone calls to the appropriate individuals. She or he also maintains student records, and reports on meal counts. The program secretary may also supervise student workers.

Counseling Services

School social work and counseling services are available to all students at the TLC. Counseling is provided to meet the student's educational needs as identified on his or her Individual Education Program. Additionally, crisis counseling is available to all students as needed.

Individual and group counseling services are provided on a weekly basis. Students are required to participate in these activities. The purpose of group counseling is to teach pro-social skills which are reinforced through the tri-level behavioral management system. Topics addressed may include, but are not limited to: decision-making, problem solving, self-control, anger management, communication, dealing with authority figures, and improving self-concept.

Individual counseling services are determined by the IEP, in relation to the student's exhibited behavior and the student's ability to address issues in order to make progress in their treatment.

Due to the nature of the counseling setting, the comments of the students are held in confidentiality unless the student gives permission for the information to be shared. The exceptions to this are:

1. When the student discloses abuse or neglect issues,
2. When the student discloses risk of self-harm, or
3. When the student discloses risk of harming others.

The confidences may also be shared in supervision with the same restrictions applying to the supervisor.

If the student or family requires services beyond the needs of the student's educational progress, the counselor will inform the family of the appropriate agencies for assistance. Payment for such services will be arranged between the family and the agency.

SVE Work Program

The Specialized Vocational Education cooperative work program (SVE) is a Secondary Transitional Experience Program (STEP). The STEP program consists of steps to the future for students. This program helps prepare students, who are sixteen to eighteen years old, for integrated employment, independent living, and full community participation. The Illinois Office of Rehabilitation Services (ORS) sponsors students in the SVE program if they meet the guidelines. STEP bridges the gap between school and work.

The program goals are: to assist in developing desirable work habits and realistic career goals; to provide opportunities for exploration of careers and gain meaningful work experiences through on-the-job placement; to teach pre-employment skills which are necessary for entry into the job market; and to help develop the social and personal skills to maintain successful employment. STEP offers vocational assessments, vocational counseling, job training, community-based work experience, independent living skills training, and coordination of supported employment services.

Employers provide training and supervision on-the-job. They are closely involved in the evaluation process. In cooperation with the work-study programs, employers take an active role in the educational/vocational development of the students.

The SVE program involves classroom instruction concerning work-related topics. The students' IEP goals regarding SVE are addressed during this time, as well as discussions about work. After acceptance into this program, the student is evaluated and matched to a job of their career interest where possible.

For the students to be eligible for the STEP program, the parent or guardian must complete the referral form and meet with the Office of Rehabilitation Services caseworker.

Awards Day

Awards Day is the highlight of the year for TLC students. Every student will be recognized for the accomplishments made throughout the year in both academic and behavioral areas.

Parental involvement is encouraged because this is a day when the school staff joins with the parents in acknowledging the strengths of the individual student. For students who have not been successful in the past, this is a richly rewarding day.

The Tri-Level Charting System

The Tri-Level Charting System is designed to give feedback to the student on his/her behavior. Students earn points through the day to earn privileges and to advance to the next highest level. As students move up to the next level, they receive more privileges but also are given more responsibility.

The charting system allows staff to gather data on the frequency of behaviors, to monitor behaviors, and to provide reward for appropriate behaviors.

The charts and the levels for rewards can be accommodated to meet the individual needs of each student. Generally, students must behave appropriately 80-90% of the time to earn breaks and field trips. When a student misbehaves, he or she will receive one or more marks on their chart. The student understands that inappropriate behavior has lost him or her the opportunity to earn points over that time period. All staff members will chart any student in the program. This maintains consistency of behavior throughout the program.

A student enters the Treatment and Learning Center on the beginning level, Level C. As the student successfully meets his or her criteria for the consecutive weeks on Level C, he or she moves up to Level B. After three successful consecutive weeks on Level B, the student moves up to Level A. If your child tells you he/she earned the field trip or the movie on Friday, it means he or she has been successful that week. If a student is not successful for the week, he/she will "drop" to a lower level on the charting system and go to an academic room on Friday.

Level C. Students on Level C earn points every fifteen minutes for: a) participating in class; b) following directions; c) working steadily on assignments; d) showing courtesy and consideration to others; and e) an individual behavior which reflects the students IEP goals. Students on Level C are visually supervised at all times during the day. Students earn a 15-minute break in the morning and again in the afternoon based on points earned on each area. Students on Level C are not allowed candy or soda at school. The field trip on Friday is to watch a movie in the building.

Level B. Level B students earn points every thirty minutes. They earn points by: a) appropriately handling frustrations; b) completing daily work on time at a preset accuracy level; c) working independently; d) maintaining all five Level C behaviors; and e) an individual behavior. Students on Level B earn more freedom in the classroom and will go on the field trip on Friday if it has been earned.

Level A. Level A is the highest level of the charting system. Level A students do not earn points through the day (similar to students in a regular program, Level A students receive point warnings for misbehavior). A minimal infraction of the rules results in a one point or a three-point warning. A serious infraction results in a five-point warning. If a student receives 10 points over five school days, they are dropped to Level B. Students on Level A may go unescorted in the building with a hall pass. Students who maintain Level A for a semester will be considered for beginning to return to their home school.

If a student remains on Level C for a long period of time without progressing on the charting system, a strategy conference will be held to review the student's behavior and further consider strategies to assist the student to progress. A parent may request a parent conference, an IEP meeting, or a strategy conference (at any time) to review changes in the behavior management plan.

Field Trip – Level A and B – Out of Building

Almost weekly an “Out of Building Field Trip” is planned for students who are making progress or maintaining success in school responsibilities. Level B students generally have to earn 80/90 percent of their daily behavior points for a period of 4 days. Level A students with less than 5 points on their weekly chart are eligible to go.

Students are expected to comply with rules and staff directions during the trip. A non-compliant student will be brought back to school if possible. The student will lose points and privileges associated with the Tri-Level Behavior System. A student having behavior problems on a field trip will lose the opportunity of leaving the building for trips. The student is not allowed to return to out of building field trips until he/she reaches Level A, Week 3, has a meeting with his/her teacher, counselor/school social worker and principal. Staff must be able to predict student will behave appropriately on future trips.

Field Trips are usually recreational. Common places for field trips are skating, bowling, driving go-carts, and hiking/picnicking.

Consent for Field Trips

A parental consent for field trips is signed upon placement into the program. Special field trips, which are deemed to have a greater risk such as swimming, horseback riding, or where longer travel is needed (i.e. end of the year field trip) will require a separate parental consent.

Field Trip – Level C – Movie

Level C students who have met their 80/90 percent daily totals for 4 days are eligible to watch a movie at school.

There are two situations which prohibit going on “out of building field trip” or watching a movie. A student who is misbehaving prior to field trip departure or received a bus write-up will not be able to participate in the weekly reward. This is regardless of their progress on the Tri-Level System.

The IEP Meeting

The IEP meeting is required by law to be held at least annually on every student who attends TLC. The annual review of the IEP serves several purposes including:

1. Review progress on the student's goals and objectives over the past year.
2. Discuss the student's current level of performance.
3. Develop goals and objectives for the student for the next year.
4. Determine where the best place may be to meet these goals.

Changes in placement in the behavioral management plan or in services provided can only be made in an IEP meeting. Parents may request an IEP meeting to be held by contacting the program administrator.

Parental participation in these meetings is essential. The parent is the expert on the student. There are many things you can do to prepare yourself for this meeting so that it is more meaningful for you and productive for the student. The Illinois State Board of Education advises that you do the following:

- Talk with the teacher or social worker prior to the meeting so you have an idea of the purpose of the meeting. Ask questions about who will be there and how long it will last. Ask about what the school has in mind for your child.
- Observe your child in different settings doing different tasks. How does your child differ when interacting with you versus other adults? How does your child interact with peers? What causes battles at home? Does certain kinds of homework cause more trouble than others? Review samples of their homework to help you pinpoint strengths and weaknesses. What works at home in dealing with your child's behavior that may be used at school?
- Review the written information you have received from the school. The report card should be able to tell you not only how your child is doing academically but what progress is being made toward your child's goals and objectives. If you have questions about this, contact the teacher prior to the meeting to review what the report of progress really means.
- Talk with your child about what is frustrating at school and what is enjoyable. What is your child's perception of his or her strengths and weaknesses? What goals does your child have for the coming school year? What does he or she think will help to meet those goals?
- Become familiar with your rights as the parent of a student with disabilities. The more comfortable you are with the law the better. Ask your child's school social worker for more information about these rights if you are unclear. This will help you feel that you are sitting at the meeting as an equal partner in the development of the educational program for your child.
- Remember that you are a member of a team with other individuals who have come to share their knowledge of your child based on their training, their observations and experiences with many children. The professionals who work with your child do so because they truly care about their students. They feel a strong sense of ownership in your child as well. You want your child to have school staff who cares about him or her. However, you have more years of experience with your child than anyone else in the meeting. They want your knowledge to help them teach your child appropriately.

Decisions made at the IEP are a consensus of the team attending the meeting. Signing the IEP only indicates presence at the meeting, not whether you agree with the decision or not. If you disagree with the decision of the IEP team, please review the Explanation of Procedural Safeguards Available to Parents of Students with Disabilities in the addendum to this handbook or request information from the school social worker.

Reintegration Into The Home School

It is the goal of the Treatment and Learning Center to reintegrate every student placed into the program back into their home school environment. The work towards this goal begins at the placement staffing. Students are most successful at being reintegrated into the home school when the parent, the school, and the student are all working together towards that goal. Ultimately, it will depend on the student to take responsibility for his or her behavior and earn that privilege.

Although the IEP team may consider a change of placement at any time, the staff at the TLC generally will not recommend it until certain criteria are met. The student must progress through the level system and be able to maintain Level A for a minimum of 18 weeks. The student's goals on his or her IEP must be achieved or progress made towards achieving them.

When the student has met these criteria, the staff will begin to contact individuals in the home school to meet to discuss the student's records. Usually at this meeting, the behavior disorder teacher serving the home school will begin to set up visits for the student at their school. If the student continues to progress, these visits will be increased. The student may get to try taking one class a day or attend one day a week in the regular school environment.

If the student continues to be successful, an IEP meeting will be held to discuss the student's progress. The student's strengths and weaknesses will be addressed. Resources in the home school will be identified to help the student continue success there. If the team agrees, the student will be placed back in the home school.

It takes a great deal of effort on the parts of the student, the TLC staff and the home school staff for the student to be reintegrated. It is important not to rush the process in order to insure the student's success. The student may be placed back into TLC any time the IEP team deems it is necessary.

Placement in TLC Classrooms in a Regular School

Classrooms have been developed at Casey – Westfield High School and Junior High and at Effingham High School which are part of the Treatment and Learning Centers. Students who continue to require a structured environment, but who do not require the use of physical restraints and quiet rooms, may be considered for these classrooms. An IEP meeting will be held to place the student into or out of those classrooms.

Students who are in these classrooms will be placed back at TLC if they are physically aggressive, gross violations of school rules, or not making progress towards academic or behavioral goals.

Hierarchy of Interventions

When a student misbehaves, we have a number of options. The staff will generally use a reasonable hierarchy of interventions. Many times staff may develop many other strategies which will effectively intervene in the student behavior.

- A. Assignment or direction is given in a clear manner.
 1. Consideration will be given in regard to learning style of the student.
 2. Staff will use appropriate tone of voice and facial expression.
- B. Staff will restate the direction.
 1. Verbal cues and/or prompts will be used.
 2. Proximity to student will be used.
 3. Logical consequences may be pointed out at this time.
- C. Charting will follow at this point.
 1. The student may be told calmly that he or she is charted.
 2. The student may be told why he or she is charted.
 3. The direction is restated.
- D. Further non-compliance will result in a head down. Certain behaviors that are disruptive to the school program will result in an immediate head down (i.e. cursing, disrespect to staff, not following hallway rules, etc.).
 1. Reason for the head down will be stated in a calm manner.
 2. If the student can restate reason for the head down, the student may resume work.
 3. If the student cannot appropriately state the reason for the head down, staff will remind the student the reason for the head down and the consequences for refusal to comply.
- E. If the student will not state the correct reason for a head down, staff will consider a number of interventions.
 1. Staff may track wasted time to be made up at a later date or late stay.
 2. The student may lose privileges of being a student. Consequences of being a "non-student" will follow.
 3. The student may be removed from the usual seat and put into isolation.
 4. The student may be left sitting while staff ignores him or her.
- F. If the student engages in behavior that is aggressive towards staff, harmful towards themselves or physically disruptive, the quiet room may be needed.
 1. Staff will be called.
 2. If the student becomes verbally or physically aggressive, a physical restraint may be appropriate.
 3. The student will be told that staff will put hands on the student and escort them to the quiet room.
 4. If the student struggles, a physical restraint may be appropriate.
 5. The student will be placed in the quiet room. See quiet room.

When student misbehaviors become more disruptive or are displayed frequently, the team will consider strategies such as: 1) the use of the Alternative Education Room, where a student is removed from the classroom and instruction is provided in the curriculum; 2) In School Suspension, where a student is removed from the classroom and not allowed to participate in instruction; or 3) Out of School Suspension, where a student is removed from the school for a determined amount of time.

Other strategies may include police involvement or mental health evaluation. Police will be called if a student has shown intent or has harmed another student or staff. Police may be called when a student destroys school property. A mental health evaluation may be requested if the student is harmful to self or others.

Student Guidelines

Each student at TLC is expected to behave in an appropriate manner. In order to help the students understand what behaviors are expected of them, the following guidelines have been developed. The program recognizes the individual differences of the students and that each situation is unique. However, follow the guidelines as consistently as possible.

I. SAFETY

Every student has a right to feel safe during the school day and has a responsibility to ensure the safety of others.

II. CARE OF PROPERTY

Students will show responsibility in the care of their own property and respect the property of others.

III. PERSONAL APPEARANCE

The students are responsible for their general appearance and will practice appropriate dress and hygiene.

IV. CLASSROOM RULES

At TLC, we view education as a privilege. In order for each student to participate successfully, classroom rules must be followed. If this responsibility is not met, consequences will be administered in accordance with the Tri-Level charting system.

V. COMMUNITY RULES

At TLC, we recognize that every aspect of an individual's life can impact on their academic success. For this reason, community behaviors may lead to consequences in the school setting. Students are responsible for their behaviors at all times, not just during the school day.

VI. ZERO TOLERANCE FOR DRUGS / ALCOHOL, TOBACCO

VII. ZERO TOLERANCE FOR GANG INVOLVEMENT

VIII. ZERO TOLERANCE FOR WEAPONS OF ANY SORT

IX. ZERO TOLERANCE FOR BEEPERS AND CELL PHONES

X. ZERO TOLERANCE FOR PORNOGRAPHIC MATERIAL

TLC Dress Code

Students will be expected to keep themselves well-groomed and neatly dressed at all times during school. As the Supreme Court has specifically granted school the right to implement dress codes, TLC reserves the right to restrict a student's dress and grooming when it is detrimental to the standards expected in the school. Any form of dress or grooming considered distracting, disruptive, or detrimental to school standards and / or the health or safety of a student will not be permitted.

No clothing or jewelry which expresses profanity, advertises, or depicts the use of alcohol / drugs, cigarettes, sex, or violence will not be permitted (i.e. mushroom jewelry, Marlboro clothing, Marilyn Manson, Insane Clown Posse, etc.).

No clothing or jewelry which clearly depicts gang affiliation will be permitted (i.e. bandanas, colors, etc.).

No midriffs, halters, or transparent clothing will be permitted.

No sunglasses, hats, or headphones are to be worn in the building.

Shoes must be worn at all times in the school building and on school premises.

If these guidelines are violated, the student will be asked to correct the situation. Failure to do so will result in disciplinary action by the school administration. This could include the imposition of Late Stays, the use of Alternate Education Rooms (AER), or any other measure deemed appropriate by the Treatment and Learning Center.

Use of Quiet Room

The use of the quiet room, or seclusionary time-out, has been shown to be an effective technique for suppressing the rate of inappropriate or dangerous behavior by removing the student from reinforcement for misbehavior and allowing the student the time and opportunity to reflect on their behaviors.

The quiet room is a permanent structure which is:

1. at least five feet square in size;
2. properly lighted with a switch outside the room; light is always on when student is in;
3. free of all objects and fixtures with which students could harm themselves;
4. has a means to continuously, visually and auditorily monitor the students behavior; and
5. has a lock which must be held in place by a staff member at all times if the students behavior is too aggressive/not in control to allow an unlocked situation.

Whenever a student is placed in the quiet room, a staff member is present at all times and is responsible for monitoring the student to ensure his/her physical and emotional well being.

Each time the quiet room is used, the staff member will note on the appropriate form:

1. The time the student is placed in the quiet room and exits.
2. If the door was locked or unlocked.
3. The time the student came out of the quiet room.
4. The initial inappropriate behavior of the student leading to the use of the quiet room.
5. Strategies used to intervene in the student's behavior prior to placement in the quiet room.
6. The student's behavior in the quiet room.
7. Description of follow-up needed or provided.
8. A description of means the student may use to avoid the quiet room if the problem arises again.

If the student remains in the quiet room for longer than 30 minutes, a supervisory signature is required. The programs each have a committee to review the use and the documentation of the quiet room.

The use of the quiet room at the Treatment and Learning Center is only considered for use when other procedures are not successful. Behaviors that warrant the use of the quiet room include: 1) intentional violence to self or others; 2) intentional damage to property; 3) threatening and/or loud, disruptive behavior in the class.

The quiet room will not be used in situations where the TLC staff or IEP team determines it is inappropriate.

Parents or guardians will be notified when a student has been placed in the quiet room.

Use of Physical Restraint

Physical restraint will be utilized with students at the Treatment and Learning Center if needed. Staff are trained in physical restraint procedures to allow for greater safety to both the staff and the students. Physical restraint is used when the student exhibits aggressive behavior that places a possible risk of harm to themselves or others. It will also be utilized when the student is causing destruction to property.

Students often become physically aggressive after they have been continuously disruptive or non-compliant in the classroom environment and require removal to the quiet room. For the safety of the student, their classmates and the staff involved, students are always escorted by staff out of the situation and to the quiet room. When staff places hands on the student in the escort position, the student often begins to struggle. At this point, the staff would place the student in a physical restraint. When a student attacks another student or a staff member, the physical restraint will be initiated immediately. When a student begins to harm himself or herself, physical restraint will be initiated immediately.

Parents or guardians will be notified when a physical restraint has occurred.

Alternative Education Room (AER)

The Alternative Education Room is a disciplinary procedure used for isolated student instruction during the regular school hours. Students in AER have exhibited continuous and severe disruptive behaviors in the classroom or on the bus. As a result of exhibiting these non-student behaviors, staff may determine with the approval of the principal to place the student in an isolated area, yet keep them in the standard curriculum of study. The AER is not comprised of a specific place in the building. It is a state of limited interaction with staff and no interaction with other students. Students can earn their way out of AER by serving a specified period of time or by completing a specified number of assignments at a passing grade level. All time spent in AER is made up on late stay.

In School Suspension (I.S.S.)

When students assault staff members, bring illicit drugs to school, are believed to be under the influence of drugs or alcohol at school, or engage in activities that are highly disruptive to learning environment, they may receive the disciplinary action of either an in-school or out-of-school suspension. An I.S.S. is a disciplinary action that removes the student from their standard curriculum and places the student in an isolated situation during the school day. Student on I.S.S. may be given consequence writing or alternative assignments that focus on the consequences of their misbehavior. The student is not allowed to interact with other students and their interactions with staff are limited. I.S.S. is determined by the IEP team that works directly with the student. All time spent on I.S.S. is to be made up during late stay.

Out-of-School Suspension and Expulsions

The TLC utilizes out-of-school suspension only in the most serious situations. Generally, out-of-school suspensions are used when the student is considered to be at risk to harm others in the school environment or themselves; therefore, a cooling off period would be beneficial.

When an out-of-school suspension is considered, the principal will investigate the situation. The student will be given an opportunity to respond to the allegations against him or her. A team meeting will be held to discuss the proposed disciplinary action. The parent will be notified and requested to attend this meeting, if possible.

If the student has been suspended more than ten days in the school year, a functional behavioral assessment will be completed and an IEP team will be called together to consider changing the behavior management plan for that student.

If a student requires a suspension of more than 10 days or an expulsion from school or from a related service, such as transportation, an IEP meeting will be held. The evaluation team will complete a determination if the behavior may be a manifestation of the student's disability. The IEP team will determine how services will be provided to the student if he or she is suspended or expelled.

Expulsion will also require action by the local school board.

Attendance

Students are expected to attend school everyday. Many TLC students have attendance challenges; therefore, staff must monitor attendance closely.

Excused Absences

*Doctor/Dentist Appointments*Legitimate Illness*Court*Death of Immediate Family

- Anticipated absences need to be cleared through administration.
- If the absence does not fall into one of the above mentioned categories, meet with the Principal

General Attendance Procedures

- If a student is absent, a parent needs to call TLC in the morning. If a parent does not call, an effort is made by staff to call the parent to verify the absence.
- All information concerning absences is placed in the student's cumulative file. If a doctor or a court official saw the student, a note needs to be provided by them to the school. A doctor's note must indicate that the student was ill and could not attend school for that day or period of days. Students who can return to school to complete their school day following the appointments should do so or it will be considered unexcused.
- Staff may call the parent or doctor to verify the information in the note.

Consequences For Unexcused Absences

- Any unexcused absence results in a five-hour (7:00) late stay.
- All work missed due to an absence (excused or unexcused) needs to be made up within an assigned time frame.
- Any unexcused absence results in a "0" for the day on the student's chart.
- Any incomplete homework related to an unexcused absence needs to be charted on the day the student returns to school and all subsequent days the homework is not done.
- After 10 excused or unexcused absences, a referral will be made to the Regional Office of Education's Truancy Program

Students with 10 or more absences, a truancy IEP goal, or currently referred to the Regional Office of Education for Truancy

- Any absence requires verification from the appropriate source. (Probation officer, doctor's note, etc., or it will be considered unexcused)
- If a student is receiving truancy services or probation, each day student is absent, staff will call the appropriate agency.
- TLC staff may determine that an early morning pick-up is necessary. An early morning pick-up will result in a 5 hours (7:00) late stay.

Truant Student Pick Up

A student's regular daily attendance is very important at TLC in order for the student to work towards achieving the goals stated on the Individual Educational Plan (IEP). When a student is absent from school and this absence is unexcused, the student is considered truant.

Parents should contact the school to notify staff when their child is refusing to go to school. In many of these situations, TLC staff members may decide to try to locate the student and bring him or her to school. This procedure may necessitate the staff members going into the house to get the student, even when the parents are not there. (At times, the student may become aggressive and require forced physical guidance or physical restraint during a pick-up of the student.) The total amount of time that a student is truant is then added onto the regular school hours, and the student will make up the time that he or she has missed, and for the staff time invested in getting the student to school.

Parental cooperation is most important in carrying out this policy. This strategy is included in the student's Individual Educational Program.

Student Illness/Injury

When a student becomes seriously ill or injured while at school, the staff will determine if there is a need for the student to go home or receive medical attention. It is a parental responsibility to provide for the student's medical needs.

If the student needs to go home, the parent may be contacted to pick up the child at school. The parent will be responsible for supervision of the child.

If the student requires immediate, emergency medical attention, the parent will be notified and an ambulance will be called. The parent will need to meet the student at the hospital so emergency medical services may be provided.

Emergency information to make parental contact must be kept current and on file with the TLC program secretary. The school is not responsible for any medical costs. Parents are offered school accident insurance.

Student Make-Up Time After School (Late Stays)

The TLC staff feels that a student's completion of daily work assignments is very important and these assignments are based on the goals stated in the student's Individual Education Plan (IEP). Therefore, when a student does not complete his assignments during the regular school day, it is necessary to have the student remain after school in order to finish the work.

Late-stay is a behavior management tool used similarly to detention. Generally, a late-stay lasts until 5:00 or 7:00 p.m. Students, at times, may need to stay even longer. However, times can change due to the availability of staff and transportation.

A late-stay may be assigned to a student for the following reasons:

- Unexcused absence
- Tardiness
- Early morning pick-up
- Owed work
- Excessive bus write-ups
- Wasted class time
- Time in the quiet room
- Misbehaving of a Field Trip
- Misbehaving on a previous late-stay

It is important that the parent provide the appropriate medication with consent to provide medication for those students who require evening dosages.

Attempts to notify parents are always made, unless previous arrangements have been arranged, when their son or daughter will be staying after school. **Parental notification is not an attempt to seek permission for the use of late stay.** The consequence must be given at the time of the misbehavior or it will have not meaning to the student. Therefore, staff will be advising the parent when the student will be completing their school responsibilities for that day.

If possible, the staff requests that the parents pick up the student when his/her time has been made up. If this cannot be arranged, TLC staff will take the student home.

Parental cooperation is most important in carrying out this strategy. It is one of the most effective behavior management tools in motivating students to be responsible during the school day.

A snack of a peanut butter sandwich is provided to those students staying beyond 5:00 p.m.

When TLC staff transport a student home in the van, they must leave the student with a parent or guardian unless other arrangements have been made with staff. If a parent or guardian is not at home, the student will be returned to the school. Further attempts to contact the parent will be made. If none is found, then DCFS or police will be contacted to care for the student.

The following rules apply:

- Any misbehavior in the van will result in a van write-up for misbehavior, which has the weight of two bus write-ups. (See Bus Behavior.)
- Talking in the van is at staff discretion and must be appropriate.

Possession of Drugs and Other Illegal Substances at School

Any drug which is not administered under a doctor's supervision at school is considered an illegal substance and will be treated as such. Over the counter medications will be confiscated and the student will receive consequences. Possession of illegal substances on school property will result in the search of the student and the seizure of those substances. Police will be contacted when any suspicious substance is found in the possession of a student. The police may take the student into custody at that time.

A student who is believed to be under the influence of drugs or alcohol at school will be isolated from the student population until the parent can pick up the student and take him or her to a medical facility for treatment.

The student who is under the influence of drugs or alcohol at school or in the possession of said substances will receive five days of in-school suspension with late stays to make up for academic time missed. If the student voluntarily seeks an evaluation for substance abuse treatment and complies with the treatment plan developed following such evaluation, the in-school suspension will be waived. If the student fails to comply with treatment, then the in-school suspension will be reinstated. All costs for evaluation and treatment will be incurred by the student or the family.

Suicide Threat, Suicide Attempt, Self-Abuse Behaviors, or Loss of Reality Orientation by a Student

When a student threatens suicide, exhibits self-abusive behaviors, or appears to have lost orientation to reality, the student's counselor/social worker/crisis interventionist will be notified immediately. The counselor will determine the seriousness of the threat. If it is considered to be a high-risk situation, the Mental Health Crisis Worker will be contacted in order for them to make a determination of the student's condition and need for medical treatment. The counselor will also contact the student's guardian to inform them of the situation. If the student's well being is at risk, then an ambulance will be called to take the student to the hospital.

Student Refusing To Go Home

When a student refuses to go home because of family problems, the counselor will discuss these concerns with the student. The student may be given the option of being escorted to the police station in order to initiate services for crisis family counseling for emergency foster placement through comprehensive community youth based services.

Agency Involvement

The following agencies may require ongoing information from the program staff:

Department of Children and Family Services. For students under the guardianship of DCFS, six-month case reviews of the child's progress are needed. Information will be requested from the student's counselor and teacher. Appropriate staff may also attend the meeting where this information is discussed and foster placement decisions are made. TLC staff will also keep the student's caseworker informed of the student's progress.

Juvenile Probation Officers. Many TLC students have been placed on probation or court supervision and have been assigned a probation officer. The teacher and/or counselor will need to maintain ongoing contact with the probation officer regarding the student's attendance and behavior. The probation officer will be informed immediately of absences and aggressive acts committed by the student. Written records require an Authorization For Exchange of Confidential Information, which the courts may order the parent to grant to the school.

TIPS Program. Students who are chronic truants are subject to the provisions under the Illinois School Code Section 26-2A. TLC staff can communicate information regarding the student's grades, activities, behaviors, discipline record, etc. with the truancy officer and may need to be prepared to testify to the information in court.

Police. Police are to be contacted according to the runaway and crisis procedures. They may also contact the school for information regarding a student.

Discipline on Gangs

Any suspected gang activity, including wearing colors, "flagging", using signs or drawing gang symbols/graffiti will not be tolerated. Although many of these behaviors are considered attention seeking, they can quickly accelerate to a point which leads to serious problems within the building.

Destruction of School Property

Destruction and defacement of school property is considered an act of gross disobedience and a disturbance of the peace. Depending upon the severity and intensity of the behavior, a wide variety of disciplinary actions may be taken. This may include requiring acts of restitution, detention, in-school or out-of-school suspension and reporting the incident to the police.

It is the parents' responsibility to pay for damage to school property that has been destroyed by their child. The parent will be billed for these damages.

Care of Books and Equipment

Each student is expected to give schoolbooks and equipment careful handling. They should be free of marks, scratches, and other signs of misuse. Parents will be required to pay the replacement costs of books and equipment lost or damaged by their children.

Police Involvement

Police will be contacted in the following circumstances:

1. When a student is in possession of weapon(s), controlled substances or illegal drugs.
2. When a student verbally or physically threatens any staff member.
3. When a student commits criminal damage to property and/or disorderly conduct.
4. If TLC staff believes they are incapable of managing a student who is out of control and a possible danger to self or others.

Also, a student, parent or legal guardian, or TLC staff may contact the police if a student has committed a crime against another student.

At times, police interview students on school property. When possible, TLC staff will be present for the interview.

Metal Detectors

To maintain order and security, students will be searched by a walk-through metal detector and/or a hand-held wand. As students approach the metal detector, they will remove coats, empty pockets, remove jewelry, and give staff their book bags and belongings (items which activate the detector) to hand check. Upon being cleared through the detector, students will retrieve their belongings.

If the detector is activated, the student will be asked to remove the item. If necessary, a TLC staff member of the same sex will conduct a pat down search. Should any search identify a prohibited object, the student will be required to remove it. Should a student refuse to remove the object, TLC staff may remove. Any student who does not cooperate with TLC staff performing a search is subject to discipline consistent with the TLC behavior management procedures.

Search

TLC staff may inspect and search the contents of any briefcase, knapsack, purse, book bag or parcel for the purpose of determining whether a prohibited (by law or school/program policy) item is contained therein. Students may expect this search daily as they arrive or at other times where reasonable cause exists.

Lockers are not allowed to have locks on them. Personal items stored in lockers can be searched.

Seizure of Items

The following list contains examples of items that are not allowed at school.

Electronic

- Pagers
- Cell phones
- Laser pens

Metal

- Razors
- Bullets
- Guns
- Scissors
- Brass knuckles
- Tools
- Silverware
- Sewing needles/safety pins
- Nail files
- Handcuffs
- Chains, including jewelry that looks like chains

Medications

- Inhalants
- Cough drops/syrup
- Prescription medication
- Loose pills
- Nasal spray
- Over-the-counter medication

Glass

- Pop bottles
- Glass containers
- Mirrors
- Perfume bottles

Miscellaneous

- Rope
- White out
- Super glue
- Open/unsealed containers with liquid content
- Toy guns/knives/weapons
- Aerosol containers such as hair spray, etc.
- Visine, eye drops
- Alcoholic beverages
- Rubber bands
- Drugs/drug paraphernalia
- Matches/lighters/flammable liquids
- Tobacco products
- Pornographic materials
- Fireworks

Any item that could be used in a harmful or disruptive way will be confiscated. Weapons, drugs or illegal items will be turned over to the police. School authorities will encourage Police and States Attorney offices to pursue charges regarding any item that is illegal. Pagers, cell phones, laser pens must be picked up by a parent. Other inappropriate items may be retrieved by student at the end of the day. Student must agree not to continue to bring the inappropriate item back to school.

Items not retrieved by parents by the end of the school year will be disposed of by the administrator.

Possession of Electronic Communication Devices

TLC shall not permit the use or possession of any electronic paging device and/or cellular radio telecommunication device by students at any time while on school buses, in school buildings, or on school grounds. This regulation extends to all EIASE sponsored and related activities including field trips, whether held before or after school, evenings or weekends.

If a staff member finds a student using or possessing electronic communication devices in violation of this regulation, said devices shall be confiscated. Confiscated electronic communication devices shall be returned to the parent. The parent must come into the school to pick up the device.

Given reasonable grounds for suspicion, school staff may search for and seize electronic communication devices prohibited by this regulation.

Mandated Reporting of Child Abuse and Neglect

All employees of the TLC are subject to Illinois law under the Mandated Reporters Act. If an employee suspects that child abuse or neglect has occurred, that employee must report that abuse to the Illinois Department of Child and Family Services. Failure to report could result in the loss of employment and the loss of teacher certification. When an employee fails to report suspected child abuse or neglect, their ability to work in any school system in the state is placed in serious jeopardy. No school policy or individual in the school can take away the responsibility of the school employee to report child abuse. Regardless of what the child may report occurred in the incident, it does not change the responsibility of the school employee to report child abuse if they suspect it has occurred. Therefore, any time an employee of the TLC suspects that child abuse or neglect may have occurred, it will be reported to the appropriate agency.

Release of Information

In order to provide comprehensive and coordinated social services, the TLC staff will maintain contact with services and agencies which directly impact on our students. For staff to communicate with these agencies an Authorization for Exchange of Information (Form R) must be signed by the guardian. Note that some agencies also require the consent of the student who is over 12 years of age before they will release information to us and may need to use their forms to obtain this consent.

To communicate through writing, the transmission of records, or verbally without obtaining appropriate consent to release information to another agency (other than the sending or receiving school) is both illegal and unethical and risks the standing of the professional and this agency.

The counseling department will maintain continual communication with agencies to stay abreast of the services they offer and to communicate our needs to them. This is done through participation in various agency panels.

Due to the nature of the students served by TLC, there are times when state and community agencies must be contracted by staff as the law requires or for the safety of the student.

Use of Recording Devices

TLC staff may use video and audio recording devices to document student behavior. Photographs may also be taken for this purpose. These are used for documenting severe behaviors, providing feedback to the student on their interactions with students, and to provide information to other agencies when needed. These tapes or photographs become a part of the student's temporary file. They cannot be released to any person or agency without the consent of the parent/guardian.

At times, photographs and/or recordings of the students may be used to illustrate the various services provided by EIASE, only with parent/guardian permission. These would be used to provide in-service to educators and other agencies. They may also be used in showing the positive aspects of the school and the students' performance to the media.

Security cameras may be used for building safety. Images recorded by these cameras are not maintained.

Students Personal Belongings

Students should not bring valuable or distracting items to school. Students are not permitted to have locks on their lockers. The school will not be responsible for the loss or theft of such items. Students are not allowed to buy, sell, or trade personal possessions at school or on the bus.

Hallway Rules

In order to create a controlled, quiet and calm atmosphere student will be expected to comply with the following rules:

- No talking.
- Walk in straight line.
- No pop, candy, gum, etc.
- No headphones, hats, sunglasses.
- Take one step at a time on stairs.
- Keep hands and feet to self.
- Stay in clear view of staff supervising group.
- During a "staff call", students should stop moving and clear doorways.

Hall Passes – Staff may send a student on an errand but they must have an official hall pass. Staff must have confidence the student will handle this situation.

Bus Behavior

Students are expected to exhibit appropriate behaviors on the bus. Students that do not follow bus rules are consequence on the tri-level charting system. The bus driver or the bus aide must turn in a bus write-up the following bus ride.

Consequences

First and Second Bus Write-Up

- Level C – Student will miss both breaks, receive 0's for the day in each column, and miss that week's field trip. A bus write-up received on Friday morning will be applied to that Friday's field trip.
- Level B – Same as Level C.
- Level A – Student will receive a 5 point warning, miss both breaks for the day, and miss that week's field trip.

****If the behavior is extreme or severe, a meeting with the principal may be in order to discuss further consequences.**

Third Bus Write-Up (and consecutive ones thereafter)

- Same consequences as for first and second bus write-ups for all levels **plus** late stay time and AER.
- A strategy conference should be held at this time to discuss options as to prohibiting this from becoming a continuous problem.

Transportation

Each student's district is responsible for providing transportation for students sent to TLC. Students are expected to follow all bus safety rules and directions by bus personnel. Failure to do so commonly results in loss of points on the Tri-level charting system, loss of daily breaks, assigned late stay time, loss of weekly field trip, isolated lunch, and isolated instruction.

Significant incidents of non-compliance may result in removal from the bus. If a student is removed from riding the bus and misses school, all time will be made up and academic work will be completed during a late stay as arranged by staff.

Parents must give written permission for students to walk. A decision to walk must be made covering the entire school year. A student cannot decide day by day whether they are walking or wanting bus transportation. A walking student can expect consequences for tardiness or any known inappropriate behavior on the way to or from school.

Students who ride bicycles need to follow the same rules as "walkers". The bicycles need to be parked in the bike rack. TLC is not responsible for damaged or stolen property.

Academic Instruction

Individualized academic instruction is provided based on students' ability levels. Achievement levels are determined by classroom progress, academic testing as part of the case study evaluation, and pre-testing upon entering TLC. Strengthening students' deficit skills in Math, Reading and Writing are a priority at TLC.

Report Cards

Report cards will be distributed in the same intervals as the students' home school district report cards. Common schedules are four times a year covering a nine-week period or six times a year covering a six-week period.

Credits

Coursework at TLC is provided to meet district requirements. The program is limited in its ability to provide a broad spectrum of elective classes, such as band or chorus. The district will ultimately be responsible for evaluating and awarding the credits for each individual student. TLC staff will work with seniors, parents, and home school representatives toward the students' progress towards graduation. Seniors at risk of not graduating will be monitored throughout the school year and written notices of deficiencies will be provided.

Graduation

The home district will evaluate student requirements for graduation. A student who graduates while still attending TLC is considered a graduate of their home school district and may participate in the graduation ceremony, if they are capable of controlling behavior in a larger group setting. The diploma will reflect that the student has graduated from the home district.

Earning Extra Credits

Refer to district policies in regard to credits to be earned by means other than regular class coursework, including correspondence courses, proficiency testing, and college courses.

Coursework Dealing With Recognizing and Avoiding Sexual Abuse and Abduction

Prevention techniques to avoid sexual abuse and abduction are periodically taught to students by the TLC program. When these material address topics which specifically include sexually explicit material, parents will be notified in advance. Parents are encouraged to call about content if they have questions or concerns. They may request in writing that the student is excused from the presentation.

Social Promotion

The home district will determine when a student should be retained and how remediation should be provided, according to district policy. They will determine credits and grade level based on district standards.

Athletic/Extra-Curricular Code

Students are eligible to attend and/or participate in extra-curricular activities in their home school districts. Per the IEP, students are expected to follow regular rules and regulations of the district. Those regulations are available through the administrative offices of the district.

Physical Education

The State of Illinois requires that all students participate in physical education, except when a physician submits an excuse. Adaptations may be provided for special needs students. A student in grades 11 or 12 may be excused when the time is needed for a class required for graduation. The final determination will be made by the district in accordance with graduation credit requirements.

PE Dress Code

Shoes must be appropriate for physical education. Jewelry must be removed during PE for safety reasons. (In buildings where dress is required for PE, O's will be given for non-dress. There is not a standard uniform, but appropriate sweats or t-shirts and shorts are required.).

Drivers Education

Though TLC does not provide Drivers Education, it is a graduation requirement in the State of Illinois. Every effort is made to coordinate with the districts to meet the requirement. This may be achieved through summer school, before or after school classes, or private sources. Students are required by State law to have an accumulation of at least eight passing grades during the previous two semesters before enrolling in driver's education courses. The student must also be on Level A. If completion has not been achieved by the 12th grade, the IEP team will discuss how to facilitate this requirement.

Administration of Medication

State law mandates strict guidelines for the distribution of medications for the protection of the students. No medications may be administered without proper signatures of the directing physician and the parent. EIASE provides a form that will remain in the student file. No deviations are allowed from the doctor's order and medication must be in the original container on which the same orders are stated.

All medications must be held in the office under supervision in a locked place. At no time should students have any drugs or medication on their person while in the school setting. This includes over the counter medications, aspirin, cough medication, etc. An exception may be made for inhalers if the physician states that an asthmatic student is required to keep one available at all times.

Parents are encouraged to keep the school informed of any changes in medications. TLC staff is willing to assist the parent in reporting student progress to the physician when the appropriate release of exchange of information is completed.

The doctor's orders should address administration of medication for those times when students may be spending extended hours at school, such as pick-ups, late stays and special field trips.

Neither the district nor its employees or agents are liable, except for willful and wanton conduct, as a result of any injury arising from administration of medication. Parents must hold the district and its employees and agents harmless against claims arising out of administration of medications or storage of the medication. School employees are not prohibited from providing emergency assistance to students, including administration of medication.

Lice/Scabies/Communicable Infections

Every classroom performs periodic head checks. Head lice are increasingly common and highly contagious, so early detection is critical. School Health Code directs that when evidence of head lice, scabies, and other communicable diseases are present, students are to be sent home immediately. Proof of treatment (such as label from lice shampoo) is required and/or note from physician or county health officer (or school nurse when present). If a student does not return to school immediately after treatment, the absence will be considered unexcused. Student will be excused from school for treatment for one day.

Immunizations and Health Records

The State of Illinois requires the home district to keep health records, which document that immunizations and physical examinations are up to date. Other extraordinary health history information should be included. In accordance with the home district policy, TLC may exclude students from attending school until documentation of immunizations and physical examination requirements are provided.

School Insurance

The school does not cover any student with health and accident insurance. Parents are responsible for insuring their child either through policies provided by the home school or through the parents own policy.

Medicaid Payment

For students who are Medicaid eligible, Medicaid will be billed for direct and administrative services in accordance with provisions set forth by the Illinois State Board of Education. The Illinois Department of Public Aid regularly shares information with school to allow access to payment for these services.

Crisis Preceding Ambulance

In case of serious injury or illness, every effort will be made to contact the parent or the emergency number.

In more serious emergencies, the staff may make a decision to call an ambulance immediately. The parent is responsible for the cost of required emergency services.

Asbestos Information

All TLC attendance centers have been inspected for asbestos by a certified inspector. Each building maintains an approved asbestos maintenance plan. These plans have been approved by the Illinois Department of Public Health and are in compliance with the Asbestos Hazard Emergency Response Act (AHERA). Each building is inspected for compliance on a regular basis. These plans are available for public inspection at each building and at the Board of Education Office of the district where the program is located. The designated person to contact for further information is the EIASE Assistant Director at (217) 348-7700, ext. 203.

Notification of Use of Pesticides

Pesticide application is generally done on weekends, holidays, and over the summer when students are not present. If pesticides are used during the school week, a two-day notice will be provided to parents prior to spraying pesticides inside the school building.

Lunch (Charges and Payments)

Students are served a school lunch daily at the price established by the districts. Many TLC students are eligible for free or reduced lunch. To apply for free and reduced lunch, parents are required to complete the state form to establish family income.

Students may bring lunches from home.

Students are allowed to charge one lunch. Parents are responsible for providing lunch for their children. If lunch provisions are not made daily, the school counselor will contact the parent. When there is a persistent problem with this issue, then the Department of Children and Family Services will be notified.

Visitor Sign-In

While parents are encouraged to visit the Treatment and Learning Center at any time, all visitors are required to sign in at the school office and report to the secretary before going to the classroom. For the safety of the students and their right to confidentiality, it is necessary to know who is in the building at all times. It is also important to not interrupt the learning environment during the school day. Therefore, it will be beneficial to make an appointment to meet with the teacher or counselor to be sure to have the needed time for discussion. The school reserves the right to limit access to the building to anyone who is disruptive to the learning environment.

Accommodations Available for Parents with Disabilities

Every parent with disabilities may request accommodations in order to participate in school meetings which pertain to his/her child. For example, a first floor meeting room which is handicapped accessible will be arranged for IEP meetings or parent/teacher conferences at parents request. The staff is also able to meet in the home or a mutually convenient place, such as a public library or restaurant.

Snow Day Procedure

Snow days will be determined by the Executive Director of EIASE. The following radio and television stations will be called at the earliest possible time.

WLBH	Mattoon	96.9 FM
WHQQ	Mattoon	92.1 FM
WMCI	Mattoon	101.3 FM
The Party	Mattoon	104.3 FM
WXEF	Effingham	97.9 FM
WCRA	Effingham	1090 AM
WCRC	Effingham	95.7 FM
WPRS	Paris	1440 AM
WLRW	Champaign	94.5 FM
WCIA	Champaign	Channel 3
WAND	Decatur	Channel 17
WTHI	Terre Haute	Channel 10
WEIU	Charleston	Channel 51

It is important for parents to have a plan in place for early dismissal days. The student and teacher should be made aware of the plan. During early dismissal days, school phone lines are often tied up and it would be difficult to reach the student at that time.

Harassment

No person, including a District employee or agent, or student, shall harass or intimidate another student based upon the student's sex, color, race, religion, creed, ancestry, national origin, physical or mental disability, sexual orientation or other protected group status. The District will not tolerate harassing or intimidating conduct, whether verbal, physical or visual, that affects tangible benefits of education, that unreasonably interferes with a student's educational environment. Examples of prohibited conduct include name – calling, using derogatory slurs, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above. A student should report a concern of sexual harassment to the Principal. It will be investigated immediately. A report may be filed with proper authorities.

Free and Appropriate Public Education

Free and Appropriate Public Education (FAPE) is guaranteed to every student who is registered in his or her residing district.

Waiver of School Fees

School fees are not assessed by the Treatment and Learning Center. Local school districts may assess school fees to the parents of TLC students upon registration at their home school. Students must be registered in their home school to attend TLC. Each district has policies on the waiver of school fees for low-income families. Parents are encouraged to apply to the home school according to their procedures to gain this assistance.

Non-Discrimination

No student will be excluded from participation in, be denied the benefits of, or be subjected to discrimination within any school function or placement because of sex, race, religion, national origin, or sexual preference.

Sex Equity

No student will be discriminated against on the basis of sex in the provision of programs, activities, services or benefits. In agreement with the policy of the State Board of Education, both sexes will have equal opportunity in educational and extra-curricular programs and benefits.

Student Records

The Family Educational Rights and Privacy Act of 1974 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 education records. These Acts establish a degree of privacy and confidentiality with regard to student records. They give parents and student’s limited access to student records, the right to inspect and copy the contents of the records, and the right to challenge material contained in them. Furthermore, they restrict who may have access to student records and what may be disclosed from them.

Maintenance of Student Records

The District maintains two types of student records for each student: permanent records and temporary records.

Permanent student records consist of:

1. Basic identifying information including student’s and parents’ names and addresses, and student’s birth date and place, and gender;
2. Academic transcripts including grades, class rank, graduation date, grade level achieved, and scores on college entrance examinations;
3. Attendance records;
4. Health records and accident reports;
5. Scores received on the Prairie State Achievement Test;
6. Information pertaining to the release of student records.

Additionally, the permanent record may include:

1. Honors and awards;
2. Information concerning participation in school – sponsored activities or athletics, or offices held in school – sponsored organizations.

No other information may be included in the permanent record. The permanent record is maintained for at least 60 years after the student has graduated, withdrawn, or transferred from the District.

The temporary record may include:

1. Family background information;
2. Intelligence and aptitude scores;
3. Achievement test results, including scores on the Illinois Standards Achievement Test;
4. Psychological reports;
5. Honors and awards;

6. Participation in extracurricular activities including any offices held in school sponsored clubs or organizations;
7. Teacher anecdotal records;
8. Disciplinary information;
9. **All special education files;**
10. Other relevant information not required to be in the permanent record.

Access to Student Record Information

The District will grant access to student records as follows:

1. To a student or the parent or guardian of a student under 18 years of age (or the parent's designee). Such requests must be in writing and directed to the records custodian. Access to records shall be granted within 15 days of the district's receipt of such a request.
2. Where the parents or guardians are divorced or separated, both shall be permitted to inspect and copy the student's records unless the district has actual notice of a court order indicating otherwise. The district shall send copies of the following to both parents / guardians at either's request, unless the district has actual notice of a court order indicating otherwise.
 - a. Academic progress reports or records;
 - b. Health reports;
 - c. Notice of parent – teacher conferences;
 - d. School calendars distributed to parents or guardians; and
 - e. Notices about open houses, graduations, and other major school events including pupil – parent / guardian interaction.

When the student reaches 18 years of age, graduates from high school, marries, or enters military service all rights and privileges accorded to parents or guardians become exclusively those of the student.

3. To school officials with legitimate educational or administrative interests. A school official is any person employed by the Illinois State Board of Education or the District, member of the School Board, or a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist). A school official has a legitimate interest if the official needs to review an educational record to fulfill his or her professional duty.
4. In connection with an emergency without parental consent if the knowledge of such information is necessary to protect the health or safety of the student or other persons. The records custodian shall make this decision taking into consideration the nature of the emergency, the seriousness of the threat to the health or safety of the student or other persons, the need for such records to meet to emergency when sufficient time is

not available for the requesting party to obtain a court order, and whether the persons to whom such records are released are in position to deal with the emergency. The district shall notify the parents or guardians or eligible student as soon as possible of the information released, the date of release, the person, agency, or organization to whom the release was made, and the purpose of the release.

5. To any person for the purpose of research, statistical reporting, or planning, provided that no student, parent, or guardian can be identified from the information released, and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records.
6. To any person possessing a written, dated consent, signed by the parent or guardian or eligible student stating to whom the records may be released, the information or record to be released, and the reason for the release.
7. Pursuant to a court order. The District shall grant access to or release information from student records to juvenile authorities when necessary for the discharge of their official duties upon their request prior to adjudication of the student, provided they certify in writing that the information will not be disclosed to any other party except as provided under law or order of court.

“Juvenile authorities” means:

- a. A judge of the circuit court and members of the staff of the court designated by the judge;
- b. Parties to the proceedings under the Juvenile Court Act of 1987 and their attorneys;
- c. Probation officers and court appointed advocates for the juvenile authorized by the judge hearing the case;
- d. Any individual, public or private agency having custody of the child pursuant to court order;
- e. Any individual, public or private agency providing education, medical or mental health service to the child when the requested information is needed to determine the appropriate service or treatment for the minor;
- f. Any potential placement provider when such release is authorized by the court for the limited purpose of determining the appropriateness of the potential placement;
- g. Law enforcement officers and prosecutors;
- h. Adult and juvenile prisoner review boards;
- i. Authorized military personnel; and
- j. Individuals authorized by court.

8. The District shall grant access to, or release information from student records to a SHOCAP (Serious Habitual Offender Comprehensive Action Program) committee member, provided that:
 - a. The committee member is a State or local official or authority;
 - b. The disclosure concerns the juvenile justice system's ability to effectively serve, prior to adjudication, the student whose records are to be released and the official or authority certifies in writing that the records will not be disclosed to any other party except as provided under State law without the prior written consent of the student's parent(s) / guardian(s);
 - c. The disclosure's purpose is limited to identifying serious habitual juvenile offenders and matching those offenders with community resources pursuant to Section 5-145 of the Juvenile Court Act of 1987; and
 - d. The release, transfer, disclosure, or dissemination consistent with the Family Educational Rights and Privacy Act.

Order of Protection

Upon receipt of a court order of protection, the building principal shall file it in the records of a child who is the "protected person" under the order of protection. No information or records shall be released to the respondent named in the order of protection. When a child is a "protected person" under the order of protection transfers to a public or private school, the building principal shall, at the request of the petitioner, provide within 24 hours of the transfer or as soon as possible, written notice of the order of protection, along with a certified copy of the order, to the school to which the child is transferring.

Rights to Inspect and Copy Student Records

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 have access and copy rights to both permanent and temporary records. Parents / guardians or students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parents or guardians or student of the time and place where records may be inspected. The rights contained in this section are denied to any person against whom an order of protection has been entered concerning a student.

Rights to Request the Amendment of Student Records

Parents or guardians or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, irrelevant, or improper. They should write the school principal or records custodian, clearly identify the part of the record they want changed and specify the reason.

If the District decided not to amend the record as requested by the parent(s) or guardian(s) or eligible student, the District will notify the parent(s) or guardian(s) or eligible student of the decision and advise him 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(s) or guardian(s) or eligible student when notified of the right to a hearing.

Right to Prohibit the Release of Directory Information

Districts may release directory information as permitted by law, but parent(s) / guardian(s) have the right to object to the release of information regarding their child. However, the district will comply with an *ex parte* court order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to, or the consent of, the student's parents or guardians. In the absence of a written notice from parents or guardians denying the release of directory information regarding their child, the District may release directory information, limited to:

1. Name
2. Address
3. Gender
4. Grade level
5. Birth date and place
6. Parents' / guardians' names and addresses
7. Academic awards, degrees, and honors
8. Information in relation to school – sponsored activities, organizations and athletics
9. Major field of study
10. Period of attendance in school.

Any parents or guardians or eligible student who wishes to prohibit the release of directory information must deliver a written objection to the District Student Records Custodian at their home school district.

Right to Copy any Student Record Proposed to be Destroyed

Temporary records and the information contained in them are not maintained beyond its period of usefulness to the student and the school and in no case longer than 5 years after the student has transferred, graduated, or otherwise withdrawn from school. School officials review student temporary records every 4 years or upon the student's change in attendance center (whichever occurs first), verifies entries, and eliminates or corrects all inaccurate, misleading, unnecessary or irrelevant information. Parents who wish to copy unessential temporary student records before they are purged from their child's temporary student record file must make a request in writing to their child's principal within 30 days following the last student attendance day of their child's 3rd, 5th, 8th, or 12th grade year. In the case where a student transfers out-of-district during the school year, requests to copy student records should be made in writing in a timely manner to the District Student Records Custodian at their home school district.

Right to File a Complaint

Parents and eligible students have a right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of the Family Educational Rights and Privacy Act. To file a complaint, contact:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

Protection of Pupil Rights

EIASE and its programs, including TLC, does not engage in third party surveys in respect of the students right of privacy. Nor do we allow the collection or disclosure of any student information for marketing purposes. Vision and Hearing screenings are completed annually. Parents may contact the TLC principal if they wish to inspect any instructional materials used in the educational curriculum. Parents may request to opt-out of screenings or instructional curriculum by contacting the TLC principal who will make a determination in accordance with educational law and IEP recommendations.

Military Recruiters Access to Directory Information

Every district serving high school students is required to provide military recruiters with student names, addresses, and telephone numbers. TLC does not maintain this directory information because disclosure of such information would infringe upon the students privacy by identifying them as a student in need of special education. The home district will provide that information to recruiters if requested. Parents may request that the district not disclose this information through contacting the home district.

Procedures For Placement Into Behavior Disorder/Emotional Disorder Programs (K-12)

This is a guideline of placement procedures for the student with Behavior Disorder/Emotional Disorder (BD/ED) as adopted by the Eastern Illinois Area of Special Education. The following steps must occur prior to the multidisciplinary staff conference (MDSC) to consider eligibility for these programs. All CSE components must be addressed and completed prior to the convening of an MDSC/CSE.

The need to formalize these procedures prior to placement has been shaped by feedback from the state's evaluation of our procedures and by the consistent rulings in due process hearings in which we are involved. Any variation from these procedures may result in adjourning the MDSC/IEP and reconvening after the steps or information is complete or until appropriate team members are included.

A consideration for BD/ED services should be seen in light of its consequences to the student and his/her family. The member districts of EIASE exhibit this concern when behavioral or emotional concerns are first evident in a student by attempting building based strategies to identify and meet the needs of the individual student prior to referral. These strategies may include several documented attempts at classroom adaptation by the teacher, with the consultation of the building based team. Social Work and Psychology services may be requested as an intervention strategy.

I. REFERRAL PROCESS

When behavioral/emotional concerns persist after several documented strategies have been attempted by the building based team, a referral for a case study evaluation (CSE) may be initiated. There may be instances when a student experiences the sudden onset of behavioral/emotional concerns of a severe nature. In these instances, the district or others may determine the need to initiate a direct referral for a CSE.

II. CASE STUDY EVALUATION

A. Once the written referral for initial case study evaluation noting behavioral and/or emotional concerns is received, a case student team shall be formally constituted. The team shall include, at a minimum, a BD Teacher, School Psychologist, School Social Worker, and the Student's Teacher.

The purpose of this evaluation is to assess the multidisciplinary to answer referral questions regarding eligibility, programming, and placement of students with behavior disorders/emotional disorders. A complete case study evaluation for behavior disorder/emotional disorder eligibility includes:

- Interview with the student. A structured interview which includes formal evaluation of the student's social skills and self-concept. The interview should also focus on assessment of behavioral/emotional concerns.
- Consultations with parents. Consultation regarding their child's educational needs including least restrictive environment and the full continuum of BD/ED services.
- Social Developmental Study. The social developmental study shall be completed and include a formal measure of adaptive behavior which considers both adaptive functioning and maladaptive behaviors which may interfere with student's interactions with his/her environment. Information regarding student's interactions both in and out of the school setting should be included. When evaluating students suspected of exhibiting BD/ED, the social developmental study needs to address the history of the student's behavior problems at home, school and in the community. The family's involvement with community agencies needs to be noted. The cultural assessment identifies how the family's culture affects the student's behavioral and emotional functioning. Student with BD/ED often exhibits deficits in

social skills and in self-concept. Formal measures that touch on these concerns may be required.

- Medical History and Current Health Status. The evaluation needs to identify health and medication concerns and their relationship to emotional and behavioral concerns.
- Vision and Hearing Screenings. Screenings are required within six months prior to MDSC/CSE and need to be addressed in relationship to behavior and academic functioning.
- Review of Academic History and Current Educational Functioning. Achievement tests, formal and informal classroom observation, student and teacher rating scales, etc. can all be used in this assessment. A review of the student's educational history and behavioral concerns in that history need to be noted. Identification of materials and curriculum used by the student and notation of their success with these materials need to be assessed.
- Evaluation of Learning Process. Focus on how the student's learning style affects how he/she assimilates, expresses, and understands information. Clarify interactions between the learning style and the student's social emotional problems as appropriate.
- Level of Educational Achievement. This evaluation measures traditional academic skills taught in school such as reading, math reasoning and calculation, and written language. Information obtained through formal and informal assessment should be included.
- Assessment of the Student's Learning Environment. This assessment helps the evaluation team to determine how the student interacts in the classroom environment and addresses the match between student needs and teachings styles. In addition, physical and environmental factors in the classroom are assessed to determine their effects on the educational needs of the student. Behavior strategies used, adaptations made in the classroom for the student's needs, behavioral baseline date, etc., could all be part of this component. Documentation should include a description of the strategies used and their effectiveness.
- Specialized Evaluation.
 1. Psychological Evaluation – The psychological evaluation will be completed by selection and utilization of formal and informal methods and instruments in order to measure a student's abilities, aptitudes and processes, academic skills, self-concept, adaptive/maladaptive standardized tests of ability, achievement, processing, self-concept/self-esteem, social/emotional and behavioral functioning. Informal assessment to substantiate formal assessment results may include observation in various settings, record reviews, interviews with the student and involved adults, and the utilization of checklists and inventories to corroborate findings.
Speech & Language Evaluation – Shall be conducted as appropriate, to address referral questions regarding speech and/or language development. In specific instances, assessment of language disorder may contribute to greater understanding of the relationship between emotional disorder and language disorder processes.
 2. Other Specialized Evaluations – Shall be conducted as deemed necessary to answer referral questions.

III. PLACEMENT CONSIDERATIONS

A. INITIAL ELIGIBILITY

If the student is found eligible for BD/ED programs and services, the team must then develop the IEP based on the needs documented in the evaluation process. One or more conferences shall be convened for the purpose of formulating program and service options in the least restrictive environment (LRE). Participants in the IEP conference shall include those persons who may become responsible for providing the special education program or service options to the student, the regular education teacher, the district representative, and the parent(s).

B. CHANGE OF PLACEMENT FOR STUDENTS CURRENTLY RECEIVING BD/ED SERVICES

1. When a change of placement to and from a self-contained classroom is being considered based on the student's progress on the IEP goals and objectives, the

BD/ED teacher will notify the TLC/PPS Coordinator or Program Administrator. A review of the student's file will be initiated by the EIASE team to determine if any components of the most recent case study evaluation require updating. If it is determined that a re-evaluation needs to be completed, the BD/ED teacher will initiate a request for a re-evaluation.

2. The CSE team will convene an IEP meeting to review the student's goals and objectives. If a re-evaluation has been completed, eligibility/ineligibility considerations will be addressed.
3. If the current placement has been within a BD/ED program in a lesser restrictive environment than that which is being considered, then documentation must reflect the lack of progress on the current IEP even with the use of supplementary aids and services, (e.g., counseling). The student's need for a small, structured classroom environment with intensive behavior management techniques needs to be documented on the IEP prior to consideration for a self-contained BD/ED classroom. Additionally, if the current placement has been within a BD/ED program in a more restrictive environment than that which is being considered, documentation must reflect progress on the current IEP which would indicate that a lesser restrictive environment is appropriate.

A member of the team will be assigned to arrange a visit for the parent to the TLC to help educate them to the full range of placement option being considered.

C. IMPLEMENTING AN IEP DEVELOPED OUTSIDE OF EIASE (MOVE-IN)

The current IEP from the student's previous resident district will be used to determine temporary placement. An IEP meeting will be held within ten days of enrollment in the district to review records, the IEP, placement, and to consider the need for re-evaluation. If placement were in a self-contained BD/ED classroom or a more restrictive placement, (e.g., private-day program or state operated facility), then temporary placement at the Treatment and Learning Center (TLC) would be considered. The PPS Coordinator for TLC or Principal would be contacted.

EASTERN ILLINOIS AREA OF SPECIAL EDUCATION

BEHAVIOR/EMOTIONAL DISORDERS

**ELIGIBILITY-ENTRANCE-EXIT
CRITERIA**

Presented to:

EIASE Executive Board
September 3, 1992

EASTERN ILLINOIS AREA OF SPECIAL EDUCATION

DEFINITION

Behavior Disorder/Emotional Disorder (BD/ED) is defined as follows:

The term means a condition characterized by behavioral or emotional responses in school programs so different from appropriate age, cultural, or ethnic norms that they adversely affect one or more areas of educational performance. Educational performance includes the development and demonstration of academic, social, vocational and personal skills. The term refers to more than a temporary, expected response to stressful events in the environment. These behavioral or emotional responses persist over an extended period of time and/or are exhibited to a marked degree.

The characteristic behaviors persist despite supportive assistance or modifications within the regular educational settings, unless the education agency agrees, after consultation with the parent/guardian that the child or youth would not benefit from such interventions. An adverse effect on educational performance will be shown in one or more of the following areas:

- An inability to learn which cannot be explained by intellectual, sensory, health, cultural, or linguistic factors; or
- An inability to develop or maintain satisfactory interpersonal relationships with peers and adults; or
- Inappropriate types of behavior or feelings under normal circumstances; or
- A general pervasive mood of anxiety, unhappiness, depression; or
- A tendency to develop physical symptoms or fears associated with personal or school problems.

This category may include children or youth with psychiatric disorders or other sustained disorders of conduct or adjustment when they adversely affect educational performance.

**EIASE ELIGIBILITY CRITERIA
FOR SPECIAL EDUCATION PROGRAMS IN
BEHAVIOR DISORDERS/EMOTIONAL DISORDERS**

I. ENTRANCE CRITERIA

A student considered for Behavior Disorders/Emotional Disorders (BD/ED) eligibility must exhibit adjustment problems, which adversely affects educational performance in one or more areas of affective and/or adaptive behavior as noted in the EIASE definition. The following criteria components must be considered and documented for determining BD/ED eligibility:

- A. Affective disorders will be exhibited in at least one or more of the following areas:
1. Inability to build or maintain satisfactory interpersonal relationships with peers.
 2. Inability to build or maintain satisfactory interpersonal relationships with staff members.
 3. Inappropriate types of behavior under normal circumstances.
 4. Inappropriate types of feelings under normal circumstances.
 5. A general pervasive mood of unhappiness or depression.
 6. A tendency to develop physical symptoms associated with personal problems.
 7. A tendency to develop physical symptoms associated with school problems.
 8. A tendency to develop fears associated with personal problems.
 9. A tendency to develop fears associated with school problems.
- B. Adaptive Behavior deficits will be exhibited in at least two of the following areas:
1. Relationship with others:
The student demonstrates an inability to maintain appropriate interpersonal relationships with peer groups and/or adults. For example, the student may be: oppositional, aggressive, withdrawn or unable to maintain reality contact.
 2. Classroom related difficulties:
The student demonstrates inappropriate or inconsistent behavior related to the instructional situation (e.g., on-task behavior, task completion, time management, organization, etc.)
 3. Personal characteristics:

In a routine school situation, the student demonstrates unexpected or unusual responses, (e.g., crying, verbal abuse, destruction of property, lack of verbal or physical participation, lying, self-stimulation, etc.)

4. Behavior in unstructured settings:

The student creates disturbances or is unable to function independently in unstructured settings such as in the lunchroom, hallways, bathroom, on the bus, etc.

C. Inclusion considerations for entrance into severe behavior disorders program may include:

1. The student's inability to realize educational benefit in a regular educational setting as demonstrated by insufficient progress in his/her behavior management plan, social/emotional functioning and in academic subjects.
2. The frequency and intensity of the student's behavior is so severe that he/she poses an immediate threat to the safety of self and/or others.
3. The student has suffered an intense, acute emotional or behavioral episode requiring hospitalization.
4. The student is returning from residential placement or long-term hospitalization where educational programming was being met through self-contained placement.
5. The student, who has significant intellectual and developmental delays that would always be considered the primary handicap, may be appropriately served as a secondary characteristic BD/ED student. A range of cognitive/behavioral interventions can be provided the developmentally disabled child within his/her educational setting. The severe BD/ED program provides a rational environment in a tri-level behavior management program structure that utilizes cognitive therapy techniques throughout and is supported by intensive counseling services. When considering a developmentally disabled child for inclusion in a severe BD/ED program, an important consideration is whether the student's cognitive delays will deny them an opportunity for educational benefit.

II. ASSESSMENT

Assessment procedures used to identify a student's eligibility for BD/ED must include consideration of all entrance criteria listed above. A current (less than three (3) years old) case study evaluation, appropriate to the nature of the problems which caused the referral, focusing on inappropriate behavioral and emotional characteristics must be completed in order to consider a student's eligibility for BD/ED programming. Evaluation

procedures to determine an adverse affect on the child's educational performance should consider the following:

- A. The behaviors in question do not include those that occur primarily as a result of cultural differences.
- B. A behavior-disordered student is not an individual for whom substance abuse or truancy is the sole condition, nor can a single incident define a behavior-disordered student.
- C. An inconsistent attendance pattern is a condition that may co-exist along with other affective and/or adaptive behavior problems.
- D. The student's profile will reflect an inadequate performance of daily activities required for personal and/or social sufficiency. Standardized adaptive behavior assessment and other documentation will be collected to identify whether the student's performance is maladaptive.
- E. The student's educational performance is not at a level that would be reasonably expected of him/her. Performance deficits may be demonstrated in academic achievement, but also social skill deficits, interpersonal skills, vocational adjustment and personal adjustment. Skills related to self-care and personal competence may also be affected.
- F. The student must demonstrate an inability to learn which cannot be explained by intellectual factors, sensory factors, and/or health factors. Cognitive limitations or learning disabilities may be present.

III. PLACEMENT CONSIDERATION

A continuum of services is available for students identified as BD/ED that ranges from regular classroom placement to residential programs. The provision of BD/ED services for eligible students is based upon the student's IEP. Examples of a continuum of services are:

- A. The student can be maintained in the regular class placement with the help of resource personnel. The primary focus is curricular education with secondary emphasis related to the student's emotional or behavioral needs. The major approach is educational.
- B. The student cannot function in the regular classroom environment even with supportive assistance. He/she needs "pull-out" placement with classroom and ancillary services. The primary focus begins to shift with emphasis toward emotional/behavioral changes as well as academic growth. The major approach is still educational with increased emotional and behavioral support.

- C. The student cannot achieve educational benefit from 'A' and 'B' above and requires a greater degree of intervention than the previous level of service. He/she needs an intensive treatment program away from the regular school environment, with intensive classroom and support services focusing on his/her social emotional and behavioral needs. The primary program focus is on the student's emotional and/or behavioral disorder with academic growth as an important secondary goal.
- D. The student cannot achieve educational benefit from either the regular school or the intensive treatment structure. He/she needs placement in a residential program. The primary focus is the emotional and/or behavioral, needs of the student. The secondary goal is educational.

IV. EXIT CRITERIA

Each of the following must be considered for determination that a student no longer requires BD/ED special education programs and services.

- A. The student will demonstrate, over a sufficient period of time, via a review of the student's IEP, adequate effective and adaptive behaviors in the below areas which no longer create an adverse effect on educational performance:
 1. An ability to build and/or maintain satisfactory interpersonal relationships with peers.
 2. An ability to build and/or maintain satisfactory interpersonal relationships with school staff.
 3. Appropriate behaviors under normal circumstances.
 4. Appropriate feelings under normal circumstances.
 5. An absence of a generally pervasive mood of unhappiness or depression.
 6. A significantly reduced tendency to develop physical symptoms associated with personal problems.
 7. A significantly reduced tendency to develop physical symptoms associated with school problems.
 8. A significantly reduced tendency to develop fears associated with personal problems.
 9. A significantly reduced tendency to develop fears associated with school problems.
- B. The student will demonstrate, via their IEP, adequate adaptive behavior according to the following criteria that must co-exist with consistent, independent attendance patterns and which no longer create an adverse effect on educational performance.
 1. Relationships with others. The student demonstrates an ability to maintain appropriate interpersonal relationships with peer groups and/or adults.

2. Classroom related participation. The student demonstrates consistently appropriate behavior related to the instructional situation.
3. Personal characteristics. In a routine school situation, the student demonstrates acceptable responses.
4. Behavior in unstructured settings. The student functions independently in unstructured settings without creating disturbances.

BEHAVIORAL INTERVENTIONS

In accordance with P.A. 89-191 and policy standards set forth by the Illinois State Board of Education, the District has developed a policy governing the use of behavioral interventions with children receiving special education services. The intent of this policy is "that when behavioral interventions are used, they be used in consideration of the pupil's physical freedom and social interaction and be administered in a manner that respects human dignity and personal privacy and that ensures a pupil's right to placement in the least restrictive educational environment".

A fundamental principle of the policy is that non-aversive or positive interventions designed to develop and strengthen desirable behaviors should be used to the maximum extent possible and are preferable to the use of aversive and more restrictive procedures. The use of positive interventions is the most effective way to develop and strengthen pro-social, adaptive student behaviors. Positive interventions should be given the highest priority and always should accompany the use of more restrictive procedures. The use of positive interventions is most consistent with the educational goals of enhancing students' academic, social, and personal growth. Additionally, the most effective manner of reducing an undesirable behavior is by developing, strengthening, or generalizing desirable behaviors to compete with and ultimately displace the unwanted behavior. Finally, an effective behavioral intervention plan must consider the disability and be conducted in the context of an appropriate educational setting and instructional program.

While positive approaches alone may not always succeed in controlling extremely inappropriate behavior, the use of more restrictive procedures always should be considered to be temporary and approached with the utmost caution. When more restrictive procedures are utilized, increased assessment, planning, supervision, evaluation, documentation, and protective measures should be used.

The District shall make available, as necessary, workshops to assure that adequately trained staff is available to work effectively with the behavioral intervention needs of students who require behavioral intervention.

All of the procedural protections available to students with disabilities and their parents or guardians under the Individuals with Disabilities Education Act (IDEA), including notice and consent, opportunity for participation in meetings, and right to appeal, must be observed when implementing/developing behavior interventions. Parents, guardians, or the student may request a due process hearing with regard to any aspect of the student's Individualized Education Program (IEP).

The Policy will be effective January 1, 1996, except that the District shall comply with the distribution of this policy and procedures within 15-calendar days after adoption of the Policy.

Provided below is a non-exhaustive, alphabetized list of behavioral interventions according to five levels of restrictiveness: least restrictive, moderately restrictive, restrictive, highly restrictive, and prohibited. Behavioral interventions must be designed and implemented under the supervision of certified personnel.

LEVEL 1 – Least Restrictive Interventions

Interventions listed as least restrictive are preferred, when appropriate, because of the low risk of negative side effects and the high priority placed on positive behavior change rather than behavior control. These interventions may be used without the development of a written behavioral management plan or inclusion in the student's IEP. A best practices approach to the implementation of any behavioral intervention, however, involves a functional analysis of the behavior of concern, careful planning and monitoring of the intervention procedures, and systematic evaluation of intervention outcomes. The use of positive and non-aversive interventions should be given the highest priority and should be directed at the development of positive student behaviors and skills. The following interventions are Level I or Least Restrictive Interventions:

- Allowing student to escape
- Antiseptic bouncing
- Behavior momentum
- Behavior contracting
- Calling/notification of parent
- Chaining
- Contingent observation
- Differential reinforcement
- Environmental/activity modification
- Fading (cues, prompts, reminders gradually removed)
- Graduated guidance
- Group Reinforcement Response Contingency
- Interest boosting
- Modeling (observational learning/participant modeling)
- Modify instructional method
- Peer involvement/tutoring
- Planned ignoring
- Positive reinforcement (continuous intermittent)
- Privileged responsibility (line leader, milk money collector, etc.)
- Prompting
- Provide choices
- Proximity control
- Redirect student (verbal-nonverbal)
- Response-cost
- Self-management
- Shaping
- Structured daily schedule
- Teach alternative behaviors
- Teach organizational skills
- Teach self-reinforcement
- Tension reduction through humor
- Token economy
- Tracking
- Use of audio/video taping
- Verbal feedback
- Verbal reprimand

LEVEL II – Moderately Restrictive Interventions

These interventions may be used without the development of a written behavioral management plan or inclusion in the student's IEP. Depending upon the student's needs, IEP, nature of disability, age, etc., extensive use of Level II interventions may become restrictive in nature. When the intervention adversely affects student learning or extreme negative behaviors occur in response to them, they could be considered restrictive interventions. Under these circumstances, all precautions (e.g., documentation) associated with a Level III restrictive intervention will be followed. The following interventions are Level II or Moderately Restrictive Interventions:

- Contingent exercise
- Extinction
- Consequence writing
- Positive practice/over-correction
- Redirect student (physically)
- Restitutive over-correction
- Time-out (exclusionary/physical)

- Time-out (non-exclusionary)
- Detention (before/after school, weekend)

LEVEL III – Restrictive Interventions

Interventions listed as restrictive may be appropriate during emergency situations or when less restrictive interventions have been attempted or failed. Restrictive interventions include aversive and deprivation procedures that are associated with a higher risk of negative side effects. Therefore, greater caution should be exercised in their use. Restrictive interventions should be used only after a functional analysis of behavior has been completed and documented, a behavioral management plan written, and appropriate modification of the student's IEP completed. Except in emergencies, restrictive interventions will be used only when less restrictive intervention have been attempted unsuccessfully. Additionally, restrictive interventions will be used for the minimum amount of time necessary to control the individual's behavior in conjunction with positive interventions designed to strengthen competing behaviors. Restrictive interventions will be replaced by less restrictive interventions as quickly as possible. Finally, in the use of suspension, the District policy will be followed. The following interventions are Level III or Restrictive Interventions:

- Exclusion from extracurricular activities
- Food delay
- Forced physical guidance
- Inhibiting devices
- Manual restraint
- Negative practice
- Satiation
- Suspension (in-school)
- Suspension (out-of-school)
- Time-out (isolation/quiet room)

LEVEL IV – Highly Restrictive Interventions

Interventions listed as highly restrictive are inadvisable in most circumstances. Highly restrictive interventions (which may entail interventions often referred to as aversive) will not be instituted without the combined use of interventions that reinforce incompatible, alternate or other behavior. Highly restrictive interventions will not be employed until there has been sufficient determination that the use of less restrictive interventions would be ineffective or harm would come to the student because of gradual change in the student's particular problematic behavior.

Highly restrictive or aversive interventions are applied only in instances in which there is an immediate physical danger to the student or others, or when the frequency or intensity of the problematic behavior prevents adequate participation in educational activities. The following interventions are Level IV or Highly Restrictive Intervention:

- Aversive mists, aromatics, tastes
- Denial or restriction of access to regularly used equipment/devices that facilitate the child's educational functioning, except when such equipment is temporarily at risk for damage.
- Enforced relaxation
- Expulsion with continuing education program
- Mechanical Restraint (excludes restraints prescribed by physician or used as a safety procedure for transportation)

LEVEL V – Prohibited Interventions

The following behavioral interventions are prohibited in Illinois by PA 88-346 which states that district's discipline policies "shall not include slapping, paddling, or prolonged maintenance of student's in physically painful positions nor shall it include the intentional infliction of bodily harm".

1. Corporal punishment
2. Faradic skin shock
3. Physical manipulation

Expulsion with cessation of services is prohibited by the guarantee to disabled students of a free and appropriate public education under the Individuals with Disabilities Education Act.

Governance

The District will maintain a committee for the purpose of:

- A. reviewing the modifications, if any, made from time to time by the Illinois State Board of Education ("ISBE") to the *Behavioral Interventions in School: Guidelines for Development of District Policies for Students with Disabilities* (ISBE, June 1994)
- B. in the course of the aforesaid review, obtaining the advice of at least one:
 1. parent with a student with a disability;
 2. other parent;
 3. teacher;
 4. administrator;
 5. advocate for a person with a disability; and
 6. individual with knowledge or expertise in the development and implementation of behavioral interventions for persons with disabilities; and
- C. pursuant to the aforesaid review, recommending to the Board of the District modification(s), if any, to the Policy.

The membership of the Committee shall be determined by the Superintendent.

EXPLANATION OF PROCEDURAL SAFEGUARDS Available to Parents of Students with Disabilities

This statement of parent rights was developed by the United States Department of Education, Office of Special Education Programs, and modified by the Illinois State Board of Education (ISBE) to comply with Illinois rules.

As the parent of a student who is receiving or may be eligible to receive special education and related services, you have rights which are safeguarded by state and federal law. The rights to which you are entitled are listed below. A full explanation of these rights is available from your child's school district. Please review this document carefully and contact the district if you have questions or need additional clarification regarding your child's services or the procedural safeguards available to you.

This statement must be provided to you, at a minimum, upon initial referral for evaluation, upon each notification of an IEP meeting, upon reevaluation of your child, and upon registration of a complaint.

PRIOR NOTICE TO PARENTS

The local district is required to provide the parent of a student with a disability with prior written notice:

1. When the district proposes to initiate or change the identification, evaluation, or educational placement of a student or the provision of a free, appropriate public education to a student; or
2. When the district refuses to initiate or change the identification, evaluation, or educational placement of a student or the provision of a free, appropriate public education to a student; or
3. One year prior to the student reaching the age of majority at 18 years of age. (All educational rights transfer from the parent(s) / guardian(s) to the student unless the court has determined that the student is incompetent.)

The written notice must be provided at least 10 days prior to the proposed or refused action and must include:

1. A description of the action proposed or refused by the district, an explanation of why the district proposes or refuses to take the action, and a description of any other options the district considered and the reasons why those options were rejected;
2. A description of each evaluation procedure, test, record, or report the district used as a basis for the proposed or refused action;
3. A description of any other factors, which are relevant to the district's proposal or refusal;
4. A statement that the parent of a student with a disability has due process rights and, if the notice is not an initial referral for evaluation, the means by which a copy of the description of procedural safeguards can be obtained; and
5. Sources for the parent to contact to obtain assistance in understanding his / her due process rights.

The notice must be written in language understandable to the general public and provided in the native language or other mode of communication used by the parent, unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the ISBE or local district shall take steps to ensure that the notice is translated orally or by other means to the parent in his / her native language or other mode of communication, that the parent understands the content of the notice, and that there is written evidence that these requirements have been met.

PARENT CONSENT

The local district must obtain parent consent using state-mandated forms before conducting any evaluation and prior to the initial placement of a student with a disability in special education. Other consents which are not part of these mandated forms include parent / guardian consent to access insurance benefits and consent to use the IFSP in place of an IEP. Additionally, a local school district may not require parent / guardian consent as a condition of any benefit to the parent / guardian or the child except for the services or activity for which consent is required.

If a parent refuses consent for evaluation or initial placement in special education, the district may continue to pursue having an evaluation conducted using mediation and / or due process hearing procedures. If the hearing officer upholds the district, the district may evaluate or initially provide special education and related services to the student without parent consent, subject to the parent's right to appeal the decision and to have the student remain in his / her present educational placement pending the outcome of any administrative or judicial proceeding.

INDEPENDENT EDUCATION EVALUATION

The parent of a student with a disability has the right to obtain an independent educational evaluation of the student.

A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the local district. However, the district may initiate a due process hearing to demonstrate that its evaluation is appropriate. If the final decision is that the evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense. If the parent obtains an independent educational evaluation at private expense, the results of the evaluation must be considered by the district in any decision made with respect to the provision of a free, appropriate public education to the student and may be presented as evidence at a due process hearing regarding the student.

If a hearing officer requests an independent educational evaluation as part of a hearing, the cost of the evaluation must be at public expense.

A district must provide to a parent, upon request, information about where an independent educational evaluation may be obtained.

Whenever an independent evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria which the district uses when it initiates an evaluation.

UNILATERAL PLACEMENT BY PARENT OF STUDENT IN A NONPUBLIC SCHOOL OR FACILITY

A local district is not required to pay for the cost of education, including special education and related services, of a student with a disability at a nonpublic school or facility if the district made a free, appropriate public education available to the student and the parents instead elected to place the student in the nonpublic school or facility.

If the parent of a student with a disability who previously received special education and related services enrolls the student in a nonpublic elementary or secondary school without consent or referral by the local district, a court or hearing officer may require the district to reimburse the parent for the cost of that enrollment if it is found that the district did not make a free, appropriate public education available to the student in a timely manner prior to that enrollment.

The cost of reimbursement may be reduced or denied:

1. If at the most recent IEP meeting that the parent attended prior to the removal of the student from the public school, the parent did not inform the IEP Team that he / she was rejecting the placement proposed by the district to provide a free, appropriate public education to the student including stating his / her concerns and intent to enroll the student in a nonpublic school or facility at public expense;
2. If 10 business days (including any holidays that occur on a business day) prior to the removal of the student from the public school, the parent did not give notice to the district of the information mentioned above.
3. If prior to the parent's removal of the student from the public school, the school district informed the parent of its intent to evaluate the student but the parent did not make the student available for such evaluation; or
4. Upon a judicial finding of unreasonableness with respect to actions taken by the parent.

The cost of reimbursement may not be reduced or denied for failure to provide such notice if:

1. The parent is illiterate and cannot write in English;
2. Compliance with the notice requirements would likely result in physical or serious emotional harm to the student;
3. The school prevented the parents from providing such notice; or
4. The parent was not made aware of the notice requirement mentioned above.

PLACEMENT IN AN INTERIM ALTERNATIVE EDUCATIONAL SETTING

Authority of School Personnel

School personnel may take disciplinary action by changing the placement of a student with a disability:

1. To an appropriate interim alternative educational setting, another educational setting, or suspension for not more than 10 consecutive school days or for removals that constitute a

pattern (to the extent such alternatives would be applied to students without disabilities); and

2. If the student carries a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or at a school function, to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 days.

Either before or not later than 10 days after first removing a child for more than 10 days in a school year or a disciplinary action requiring change-of-placement for more than 10 days:

1. The IEP Team shall review any behavioral intervention plan previously developed for the student and modify it, as necessary, to address the behavior; or
2. An IEP meeting shall be convened to develop an assessment plan to address that behavior if a functional behavioral assessment has not been conducted and a behavioral intervention plan has not been implemented for the student.

Authority of Hearing Officer

A hearing officer may order a change in placement of a student with a disability to an appropriate interim alternative educational setting for not more than 45 days if he / she:

1. Determines that the local district has demonstrated by substantial evidence (i.e. beyond a preponderance) that maintaining the student's current placement is substantially likely to result in injury to the student or to others;
2. Considers the appropriateness of the student's current placement;
3. Considers whether the local district has made reasonable efforts, including the use of supplementary aids and services, to minimize the risk to the student's current placement; and
4. Determines that the interim alternative educational setting:
 - Enables the student to continue to participate, though in another setting, in the general curriculum and to continue to receive those services and modifications, including those described in the student's current IEP, that will enable the student to meet the goals set out in that IEP; and
 - Includes services and modifications designed to address the behavior which resulted in the disciplinary action so that it does not occur again.

Manifestation Determination Review (MDR)

If disciplinary action described above is contemplated by school personnel or a hearing officer, or if disciplinary action involving a change of placement for more than 10 consecutive days or for removals that constitute a pattern is contemplated for a student with a disability who has engaged in behavior that violated any local district rule or code of conduct that applies to all students, then:

1. The parents must be notified of that decision and all pertinent procedural safeguards no later than the date on which the decision to take that action is made; and
2. Immediately, if possible, but in no case later than 10 school days after the date on which the decision is made, a review must be conducted of the relationship between the student's disability and the behavior which resulted in disciplinary action.

The review of the relationship between the student's disability and behavior is to be conducted by the IEP Team and other qualified personnel. To determine that the student's behavior was not related to his / her disability, the IEP Team must:

1. First consider all information that may be relevant to the behavior that resulted in the disciplinary action, including:
 - Evaluation and diagnostic results, to include relevant information supplied by the student's parent;
 - Observations of the student;
 - The student's IEP and placement; and
2. Determine that:
 - With regard to the behavior that resulted in the disciplinary action, the student's IEP and placement were appropriate and the special education services, supplementary aids and services, and behavior intervention strategies were provided in a manner consistent with the student's IEP and placement; and
 - The student's disability did not impair his / her ability to control, and to understand the impact and consequences of the behavior that resulted in the disciplinary action.

Determination That Behavior Was Not a Manifestation of Disability

If it is determined that the behavior of the student was not related to his / her disability, pertinent disciplinary procedures may be applied in the same manner they would be for students without disabilities – except that students with disabilities must continue to receive a free appropriate public education if removed for more than 10 school days in that school year.

If the local district initiates pertinent disciplinary procedures that apply to all students, the district must ensure that special education and disciplinary records of the student with a disability whose behavior resulted in the disciplinary action are transmitted for consideration by the person(s) making the final determination about the action.

Parent / Guardian Appeal

If the student's parent / guardian disagrees with a determination that the student's behavior was not related to his / her disability or with any decision regarding placement, the parent may request a due process hearing. The local district or ISBE must arrange for an expedited hearing when requested in writing by a parent.

For a hearing regarding relatedness of behavior to disability, the hearing officer must determine whether the local district has demonstrated according to requirements specified in law that the student's behavior was not related to his / her disability.

For a hearing regarding a decision to place a student in an interim alternative educational setting, the hearing officer must apply the standards specified in law to order a change in placement of a student to such a setting.

Placement During Appeal

When a parent requests a due process hearing to challenge relatedness of behavior to disability determination or a placement decision, the student will remain in the interim alternative educational setting pending the decision of the hearing officer or for not more than 45 days, whichever occurs first – unless the parent and the local district agree otherwise.

If, while a student is placed in an interim alternative educational setting, school personnel propose to change the student's current placement (i.e. the placement prior to the interim alternative placement) after the time period for the interim alternative placement expires, the student will remain in the current placement during any pending proceeding to challenge the proposed change.

However, if school personnel maintain that it is dangerous for the student to be in the current placement defined above during pending due process proceedings, the local district may request an expedited hearing. To determine whether the student may be placed in the interim alternative educational setting or in another appropriate educational placement ordered by the hearing officer, the hearing officer must apply the standards specified in law.

Protections for Students Not Yet Eligible for Special Education and Related Services

If, prior to a student engaging in behavior that violated any local district rule or code of conduct and resulted in disciplinary action, the local district had knowledge that the student was a student with a disability who has not been determined eligible to receive special education and related services, the student may claim protections afforded students who have been determined eligible.

A local district has knowledge that a student is a student with a disability if:

1. The student's parent has expressed concern in writing prior to the incident (unless the parent is illiterate or otherwise unable to comply) to appropriate school personnel that the student is in need of special education and related services;
2. The student's behavior or performance demonstrates the need for such services;
3. The student's parent has requested a case student evaluation of the student; or
4. The student's teacher or other school personnel has expressed concern about the student's behavior or performance to the designated director of special education or other local district personnel.

If, prior to taking disciplinary action against a student, the local district had no knowledge that the student was a student with a disability, the student may be subjected to the same disciplinary procedures as those applied to students without disabilities who engaged in comparable behaviors.

A case study evaluation requested during the time period in which the student is subjected to disciplinary procedures must be conducted in an expedited manner. However, the student must remain in the educational placement determined by school authorities pending results of the case

study evaluation. If the student is determined to be a student with a disability based on the case study evaluation, the local district must provide appropriate special education and related services.

Referral to and Action by Law Enforcement and Judicial Authorities

Local districts or other agencies are not prohibited from reporting a crime committed by a student with a disability to appropriate authorities. In addition, state law enforcement and judicial authorities are not prevented from exercising their responsibilities regarding the application of federal and state law to crimes committed by a student with a disability.

Local districts or other agencies reporting a crime committed by a student with a disability must ensure that copies of the special education and disciplinary records of the student are transmitted to the appropriate authorities for their consideration.

Complaint Resolution and Mediation

Complaints with respect to any matter relating to the identification, evaluation, or educational placement of a student or the provision of a free, appropriate public education to a student should be referred to the local district.

Such complaints may also be referred in writing to the Division of Program Compliance, ISBE, for review, investigation and action within 60 days.

The parent or attorney representing the student must include the following information in a written complaint:

1. Name and address of the student;
2. Name of school attended; and
3. Description of the nature of the problem.

Illinois mediation service, designed as an alternative to the due process hearing, is a means of resolving disagreements regarding the appropriateness of special education and related services. Illinois State Board of Education provides this service upon request and agreement of the parties. Mediation can be requested with or without the request of a due process. The Illinois State Board of Education reserves the right to deny any request that may not be impacted by mediation if that request is not attached to a due process hearing. Mediation cannot be used to delay or deny a due process hearing.

In mediation, neither party is asked to abandon basic beliefs about the student's ability. The parties are asked to consider alternatives which could be included in the student's program, to listen to the concerns and problems expressed by the other party, and to be realistic about the student's capabilities and the local district's obligation and resources.

The mediator is an impartial third party and has no authority to force any action by either party. Mediation participants must include persons who have the authority to act on behalf of the student and of the local district.

Efforts to mediate the disagreement will not be admissible as evidence at any subsequent administrative civil proceeding except for the purpose of noting the mediation which did occur and the terms of any written agreement(s) which were reached as a result of mediation. The mediator may not be called as a witness at any subsequent administrative or civil proceeding.

Parents and / or districts who wish to request mediation services or to learn more about the mediation system should contact the Division of Special Education Compliance, Illinois State Board of Education, at (217) 782-5589.

Requests regarding rule interpretations or parent / student rights clarifications may be referred to the local district.

IMPARTIAL DUE PROCESS HEARING

Requesting a Due Process Hearing

A parent or local district may initiate a due process hearing regarding the district's proposal or refusal to initiate or change the identification, evaluation, or educational placement of a student or the provision of a free, appropriate public education. A request for a due process hearing cannot be denied for any reason.

A parent request for a hearing must be made in writing to the superintendent of the district in which the student resides.

The parent or attorney representing the student must include the following information in a request for due process hearing:

1. Name and address of the student,
2. Name of school attended;
3. Description of the nature of the problem of the student relating to such proposed initiation or change, including facts relating to the problem; and
4. A proposed resolution of the problem to the extent known and available to the parent at the time.

A model form for requesting a due process hearing shall be made available to the parent upon request.

If the attorney representing the parent did not provide the school district with the appropriate information when filing the written request for due process, the court shall reduce, accordingly, the amount of attorney's fees awarded.

Within 5 school days of receipt of the request for a hearing, the district will contact ISBE by certified mail to request the appointment of an impartial due process hearing officer.

Appointment of an Impartial Due Process Hearing Officer

No person who is an employee of the local district involved in the education or care of a student whose services are the subject of a dispute may conduct the hearing. Prior to appointing the due process hearing officer, the ISBE must review the background of the prospective appointee in order to establish that:

1. The individual has never been employed by or administratively connected with the local district or special education joint agreement involved in the case;
2. The individual is not a resident of the district involved; and

3. The prospective appointee has not personal or professional interest that would conflict with his or her objectivity in the hearing.

A party to a due process hearing will be permitted one substitution of a hearing officer as a matter of right. A request for a substitute hearing officer must be made in writing to ISBE within 5 days after receipt of notification of the hearing officer's appointment. In the event that both parties submit written requests on the same day and these are received simultaneously, ISBE will consider the substitution to have been at the request of the party initially requesting the hearing. The right of the other party to a substitution will be absolutely protected.

When the appointed hearing officer is unavailable or removes him / herself before the parties are notified of his / her appointment, ISBE will appoint the next scheduled hearing officer under the rotation system.

When a hearing officer removes him / herself from the case after learning its circumstances, or when a party to the hearing submits a proper request for substitution, ISBE will within 5 days select and appoint another hearing officer at random.

Pre-Hearing Conference

Within 5 days after receiving written notification by ISBE, the appointed hearing officer must contact the parties to determine a time and place reasonable convenient to convene the hearing and pre-hearing conference. The pre-hearing conference must be convened no later than 14 days before the date of the scheduled due process hearing.

Any party to the pre-hearing conference must be permitted to participate by teleconference. At the conclusion of the pre-hearing conference, the hearing officer must prepare a report of the conference and enter it into the hearing record. The report must include, but need not be limited to:

1. The issues, the order of presentation, and any scheduling accommodations that have been made for the parties or witnesses;
2. A determination of the relevance and materiality of documents or witnesses, if raised by a party or the hearing officer; and
3. Such stipulations of fact as have been agreed to during the pre-hearing conference.

Due Process Rights Prior to the Hearing

Any party to a hearing has the right to:

1. Be accompanied and advised by counsel and by individuals with special knowledge with respect to the problems of students with disabilities;
2. Inspect and review all school records pertaining to the student and obtain copies of any such records;
3. Have access to the district's list of independent evaluators and obtain an independent evaluation of the student at their own expense;
4. Be advised at least 5 days prior to the hearing of any evidence to be introduced;

5. Compel the attendance of any local school district employee at the hearing, or any other person who may have information relevant to the needs, abilities, proposed program, or the status of the student;
6. Request that an interpreter be available during the hearing;
7. Maintain the placement and eligibility status of the student until the completion of all administrative and judicial proceedings; and
8. Request an expedited hearing to change the placement of a student who the district believes to be of danger to him / herself or others. A parent may also request an expedited hearing if he / she disagrees with the district's manifestation determination or the district's removal of the student to an interim alternative educational setting.

Rights of the Parties During the Hearing

Any party to the hearing has the right to:

1. Have a fair, impartial, and orderly hearing;
2. Have the opportunity to present evidence, testimony, and arguments necessary to support and / or clarify the issue in dispute;
3. Close the hearing to the public if request by the parent;
4. Have the student who is the subject of the hearing present at the hearing if requested by the parent.
5. Confront and cross-examine witnesses; and
6. Prohibit the introduction of evidence not disclosed at least 5 days prior to the hearing.

The Hearing

ISBE must ensure that a final hearing decision is reached and mailed to the parties within 45 days after receipt of a request for a hearing, unless the hearing officer grants a specific time extension at the request of either party. Within 10 days after the conclusion of the hearing, the hearing officer must issue a written decision which sets forth the issues in dispute, findings of fact based upon the evidence and testimony presented, and the hearing officer's conclusions of law and orders. The hearing officer must determine whether the evidence establishes that the student has needs which require special education services and, if so, whether such services and placement being proposed or provided by the district are appropriate given the student's identified needs.

Request for Clarification

After a decision is issued, the hearing officer will retain jurisdiction for the sole purpose of considering a request for clarification of the final decision. A request for clarification of the final decision must be submitted in writing by a party to the impartial hearing officer within 5 days after receipt of the decision. The request for clarification must specify the portions of the decision for which clarification is sought and a copy must be mailed to all parties involved in the hearing and to ISBE. The hearing officer must issue a clarification of the specified portion of the

decision or issue a partial or full denial of the request in writing within 10 days of receipt of the request.

Appealing the Decision

Any party to the impartial due process hearing aggrieved by the final written decision has the right to initiate a civil action with respect to the issues presented in the hearing. Civil action can be brought in any court of competent jurisdiction within 120 days after a copy of the decision is mailed to the parties.

Stay of Placement and Expedited Hearings

During a pending due process hearing or any judicial proceeding, the student must remain in his / her present educational placement. The student's present eligibility status and special education and related services must be continued. However, if school personnel maintain that it is dangerous for the student to be in the current placement during pending due process proceedings, the local district may request an expedited hearing. The hearing officer has the authority to determine if, by remaining in the current placement, the student is substantially likely to injure him / herself or others.

Award of Attorney's Fees

If any action or proceeding brought under the Individuals with Disabilities Education Act, the court may award reasonable attorney's fees to the parent or guardian of a student with a disability if he / she is the prevailing party. Fees awarded shall be based on rates prevailing in the community in which the action or proceeding arose for the kind and quality of services furnished. No bonus or multiplier may be used in calculating the fees awarded.

Attorney's fees may not be awarded and related costs may not be reimbursed in any action or proceeding for services performed subsequent to the time of a written offer of settlement to a parent if:

1. The offer is made within the time prescribed by Rule 68 of the Federal Rules of Civil Procedure or, in the case of an administrative proceeding, at any time more than 10 days before the proceeding begins;
2. The offer is not accepted within 10 days; and
3. The court or administrative hearing officer finds that the relief finally obtained by the parents is not more favorable to the parents than the offer of settlement.

Notwithstanding the above, an award of attorney's fees and related costs may be made to a parent who is the prevailing party and who was substantially justified in rejecting the settlement offer.

The court shall reduce, accordingly, the amount of the attorney's fees awarded whenever the court finds that:

1. The parent, during the course of the action or proceeding, unreasonably protracted the final resolution of the controversy;

2. The amount of the attorney's fees otherwise authorized to be awarded unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably comparable skill, reputation, and experience;
3. The time spent and legal services furnished were excessive considering the nature of the action or proceeding; or
4. The attorney representing the parent did not provide the school district the appropriate information in the due process complaint.

Attorney's fees shall not be reduced in any action or proceeding if the court finds that the state or local educational agency unreasonably protracted the final resolution of the action or proceeding, or there was a violation of procedural safeguards.

Attorney's fees may not be awarded relating to any meeting of the IEP Team unless such meeting is convened as a result of an administrative proceeding or judicial action.

Surrogate Parents

A local school district must make reasonable attempts to contact the parent of a student who has been referred for, or is in need of, special education and related services. If the parent cannot be identified or located or the student is a ward of the state residing in a residential facility, an educational surrogate parent must be appointed by ISBE to ensure the educational rights of the student are protected. A student residing in a foster home or relative caretaker setting no longer requires the appointment of an educational surrogate parent. The foster parent or relative caretaker will represent the educational needs of each child placed in his / her home.

The person selected as an educational surrogate parent cannot be an employee of a public agency which is involved in the education or care of the student, can have no interest that conflicts in the interest of the student he / she represents, and must have knowledge and skills to ensure adequate representation of the student. An employee of a residential facility may be selected as an educational surrogate parent for a student residing in that facility if that facility only provides non-educational care for the student.

The educational surrogate parent may represent the student in all matters relating to the identification evaluation and educational placement of the student and the provision of a free, appropriate public education.

Access to Records

A local district must permit a parent to inspect and review any educational records relating to his / her student which are collected, maintained or used by the district. The district shall comply with a request to review the educational record without unnecessary delay and before any meeting relating to the identification, evaluation, or placement of the student and, in no case, more than 15 school days after the request has been made.

The right to inspect and review educational records includes:

1. The right to a response from the participating district to reasonable requests for explanations and interpretations of the records;
2. The right to have a representative of the parent inspect and review the records; and

3. The right to request that the school district provide copies of education records if failure to provide those copies would effectively prevent the parent from exercising his / her right to inspect and review the records at a location where they are normally maintained.

A local school district may presume that the parent has authority to inspect and review records relating to his / her student unless the school district has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation and divorce.

If any education record includes information on more than one student, the parent will be allowed to review only the information relating to his / her student or to be informed of that specific information.

A local school district must provide a parent, upon request, a list of the types and locations of the education records collected, maintained or used by the district.

Fees for Searching, Retrieving, and Copying Records.

A local school district may not charge a fee to search for or retrieve information.

A local school district may charge a fee of not more than \$.35 per page of the record which is copied for a parent if the fee does not effectively prevent the parent from exercising his / her right to inspect and review those records.

Record of Access

A local school district must keep a record of parties obtaining access to education records collected, maintained or used (except for parents and authorized employees of the local district), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

Amendment of Records at Parent's Request

A parent who believes that information in the education records collected, maintained, or used is inaccurate or misleading or violates the privacy or other rights of the student may request the participating district which maintains the information to amend the record.

The local school district must decide whether to amend the information in accordance with the request within 15 school days from the date of receipt of the request. If the district decides to refuse to amend the information in accordance with the request, it must inform the parent of the refusal and advise the parent of his / her right to a records hearing as set forth below.

The school district must, upon request, provide an opportunity for a records hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of a student.

If, as the result of a records hearing, the school district decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it must amend the information and inform the parent in writing that it has done so.

If, as a result of the records hearing, the school district decides that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it must inform the parent of his / her right to place in the education records maintained on the

student a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the school district. Any explanation placed in the records of the student must be maintained by the school district as part of the student's records for as long as the record or contested portion is maintained by the school district. If the records of the student or contested portions are disclosed by the district to any party, the explanation must also be disclosed.

ISBE 34-57 J (10/00)

EIASE Internet Policy and Regulations

A. Purpose

1. Eastern Illinois Area of Special Education (EIASE) is obtaining access to the Internet through an agreement with Illinois State Board of Education. EIASE may provide access to the Internet to their employees, board members, students, and guests.
2. The EIASE network has a limited educational purpose. The term "educational purpose" includes use of the system for classroom activities, professional or career development, and limited high-quality personal research.
3. Student use of the system will be governed by this policy, related district regulations, and the student disciplinary code. Employee use will be governed by this policy, related district regulations, district employment policy, and the collective bargaining agreement. All use will be in compliance with the acceptable use provisions of the Internet service provider.

B. Responsibilities

1. The Executive Director, or his / her designee, will serve as the coordinator to oversee the system.
2. The building Principals and Associate Director, or his / her designee, will serve as coordinators for the system, will approve activities, ensure teachers receive proper training in the use of the system and the requirements of this policy, establish a system to ensure adequate supervision of students using the system, maintain executed user agreements, and be responsible for interpreting the Internet Use Policy at the building level.
3. EIASE staff are authorized to develop regulations and agreements for the use of the EIASE Network are in accord with this policy statement, and other District policies, including the student disciplinary code. These regulations can include, but are not limited to:
 - a. Internet use policies for students, staff and board members, and guests.
 - b. The level of access that will be provided at various grade levels.
 - c. A district Web policy.
 - d. Agreements for students, employees, and guests and informational material for parents.

C. Limitation of Liability

1. EIASE makes no warranties of any kind, either express or implied, that the functions or the services provided by or through the EIASE system will be error-free or without defect. EIASE will not be responsible for any damage users may suffer, including but not limited to, loss of data or interruptions of service. EIASE is not responsible for the accuracy or quality of the information obtained through or stored on the system. Users will indemnify and hold EIASE harmless from any losses sustained as the result of intentional misuse of the system by user.

Recommended District Internet Regulations

A. Purpose

1. EIASE is obtaining access to the Internet through an agreement with the Illinois State Board of Education. EIASE staff have been authorized to develop regulations and agreements for the use of the EIASE Network that are in accord with the EIASE policy statement and other EIASE policies, including the student disciplinary code. This document contains the EIASE Internet regulations and agreements. These policies apply to the use of the EIASE property such as computers, printers, and palm pilots by an EIASE employee.

B. Due Process

1. EIASE will cooperate fully with local, state, or federal officials in any investigation concerning to or relating to any illegal activities conducted through the EIASE system.
2. In the event there is an allegation that a student has violated the EIASE Internet Use Policy, the student will be provided with a notice and opportunity to be heard in the manner set forth in the student disciplinary code.
3. Disciplinary actions will be tailored to meet specific concerns related to the violation and to assist the student in gaining the self-discipline necessary to behave appropriately on an electronic network. If the alleged violation also involves a violation of other provisions of the student disciplinary code, the violation will be handled in accord with the applicable provision of the code.
4. Employee violations of the District Internet Use Policy will be handled in accord with EIASE policy and the collective bargaining agreement.
5. Any EIASE administrator may terminate the account privileges of a guest user by providing notice to the user. Guest accounts not active for more than 90 days may be removed, along with the user's files without notice to the user.

C. Search and Seizure

1. System users have a limited privacy expectation in the contents of their personal files and records of their online activity while on the EIASE system.
2. Routine maintenance and monitoring of the system may lead to discovery that the user has or is violating the EIASE Internet Use Policy, the student disciplinary code, or the law.
3. An individual search will be conducted if there is reasonable suspicion that a user has violated the law or the student disciplinary code. The nature of the investigation will be reasonable and in the context of the nature of the alleged violation.
4. EIASE employees should be aware that their personal files may be discoverable.

D. Academic Freedom, Free Speech, and Selection of Material

1. Board policies on Academic Freedom and Free Speech will govern the use of the Internet.

2. When using the Internet for class activities, teacher will:
 - a. Select material that is appropriate in light of the age of the students and the relevance to the course objectives.
 - b. Preview the materials and sites that require students access to determine the appropriateness of the material contained on or accessed through the site.
 - c. Provide guidelines and lists of resources to assist their students in channeling their research activities effectively and properly.
 - d. Assist their students in developing the skills to ascertain the truthfulness of information, distinguish fact from opinion, and engage in discussions about controversial issues while demonstrating tolerance and respect for those who hold divergent views.

E. Parental Notifications and Responsibility

1. EIASE will notify the parents about the EIASE Network and the policies governing its use. Parents must sign an agreement to allow their students to have an individual account. Parents may request alternative activities for their child(ren) that do not require Internet Access.
2. Parents have the right at any time to investigate the content of their child(ren)'s e-mail files. Parents have the right to request the termination of their child(ren)'s individual account at any time.
3. The EIASE Internet Use Policy contains restrictions on accessing inappropriate material and student use will be supervised. However, there is a wide range of material available on the Internet, some of which may not be fitting with the particular values of the families of the students. It is not practically possible for EIASE to monitor and enforce a wide range of social values in student use of the Internet. Further, EIASE recognizes that parents bear primary responsibility for transmitting their particular set of family values to their children. EIASE will encourage parents to specify to their child(ren) what material is and is not acceptable for their child(ren) to access through the EIASE system.
4. EIASE will provide students and parents with guidelines for student safety while using the Internet.

F. Access

The following levels of access will be provided:

1. Classroom Accounts. Elementary age students will be granted Internet access only through a classroom account. Elementary students may be provided with an individual account under special circumstances at the request of their teacher and with the approval of their parent. An agreement will only be required for an individual account, which must be signed by the student and his or her parent. Parents may specifically request that their child(ren) not be provided access through the classroom account by notifying the District in writing (or whatever procedure the District uses for other permission).

2. Individual Accounts for Students. Secondary students may be provided with individual Internet accounts. Secondary students will not have dial-up access to the system. A written agreement will be required for an individual account. This agreement must be signed by the student and his or her parent.
3. No student is to use any computer without a designated supervisor physically present.
4. Individual Accounts for District Employees. District employees will be provided with an individual account and may have dial-up access to the system.

G. Unacceptable Uses

The following uses of the system are considered unacceptable:

1. Personal Safety (Restrictions are for students only)
 - a. Users will not post personal contact information about themselves or other people. Personal contact information includes address, telephone, school address, work address, etc.
 - b. Users will not agree to meet with someone they have met online without their parent's approval and participation.
 - c. Users will promptly disclose to their teacher or other school employee any message they receive that is inappropriate or makes them feel uncomfortable.
2. Illegal Activities
 - a. Users will not attempt to gain unauthorized access to the EIASE system or to any other computer system through the EIASE System, or go beyond their authorized access. This includes attempting to log in through another person's account or access another person's files. These actions are illegal, even if only for the purposes of "browsing".
 - b. Users will not make deliberate attempts to disrupt the computer system performance or destroy data by spreading computer viruses or by any other means. These actions are illegal.
 - c. Users will not use the EIASE system to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal gang activity, threatening the safety of a person, etc.
 - d. Any violations of the law through the use of EIASE Internet access may result in disciplinary actions or litigation against the offender by the proper authorities.
3. System Security
 - a. Users are responsible for the use of their individual account and should take all reasonable precautions to prevent others from being able to use their account. Under no conditions should a user provide their password to another person.

- b. Users will immediately notify the system administrator if they have identified a possible security problem. Users will not go looking for security problems, because this may be construed as an illegal attempt to gain access.
 - c. Users will avoid the inadvertent spread of computer viruses by following the EIASE virus protection procedures if they download software. Students will not be permitted to download software.
 - d. Any user identified as a security risk, or having a history of being a “problem user” will be denied access to the computers.
4. Inappropriate Language
- a. Restrictions against Inappropriate Language apply to public messages, private messages, and material posted on Web pages.
 - b. Users will not use obscene, profane, lewd, vulgar, rude inflammatory, threatening, or disrespectful language.
 - c. Users will not post information that, if acted upon, could cause damage or a danger of disruption.
 - d. Users will not engage in personal attacks, including prejudicial or discriminatory attacks.
 - e. Users will not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If a user is told by a person to stop sending them messages, they must stop.
 - f. Users will not knowingly or recklessly post false or defamatory information about a person or organization.
 - g. Forgery of electronic mail messages is prohibited. Reading, deleting, copying or modifying the e-mail of others is prohibited.
5. Respect for Privacy
- a. Users will not repost a message that was sent to them privately without permission of the person who sent them the message.
 - b. Users will not post private information about another person.
6. Respecting Resource Limits
- a. Users will use the system only for educational and professional or career development activities, and limited, high-quality, personal research.
 - b. Users will not download large files unless absolutely necessary. If necessary, users will download the file at a time when the system is not being heavily used and immediately remove the file from the system computer to their personal computer or diskette. Students will not download files without prior approval of a teacher.

- c. Users will not post chain letters or engage in "spamming". Spamming is sending an annoying or unnecessary message to a large number of people.
 - d. Users will check their e-mail frequently, delete unwanted messages promptly, and stay within their e-mail quota.
 - e. Users will subscribe only to high quality discussion group mail lists that are relevant to their education or professional / career development.
7. Plagiarism and Copyright Infringement
- a. Users will not plagiarize works that they find on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were original to the user.
 - b. Users will respect the rights of copyright owners. Copyright infringement occurs when an individual inappropriately reproduces a work that is protected by a copyright. If a work contains language that specifies acceptable use of that work, the user should follow the expressed requirements. If the user is unsure whether or not they can use a work, they should request permission from the copyright owner.
8. Inappropriate Access to Material
- a. Users will not use the EIASE system to access material that is profane or obscene (pornography) that advocates illegal or dangerous acts, or that advocates violence or discrimination towards other people (hate literature). For students, a special exception may be made if the purpose is to conduct research and access the above material only in context of legitimate research.
 - b. If a user inadvertently accesses such information, they should immediately disclose the inadvertent access in a manner specified by their school. This will protect users against an allegation that they have intentionally violated the Internet Use Policy.
9. Commercial Use
- a. Use for commercial, income generating 'for profit' activities or product advertisement is prohibited.
 - b. With the approval of the building principal or Web Publisher, students may establish personal Web pages. Material presented in the student's personal Web site must be related to the student's educational and career preparation activities.
 - c. It will not be considered a violation of a student's right to free speech to require removal of material that fails to meet established educational objectives or that is in violation of a provision of the Internet Use Policy or student disciplinary code. However, student material may not be removed on the basis of disagreement with the views expressed by the student.
 - d. Student Web pages must include the following: "This is a student Web page. Opinions expressed on this page shall not be attributed to the District."
 - e. Student Web pages will be removed at the end of the school year unless special arrangements are made. A notice will be provided to students prior to such removal.

10. Extracurricular Organization Web Pages

- a. With the approval of the building principal, extracurricular organizations may establish Web pages. Material presented on the organization Web page must relate specifically to organization activities.
- b. Organization Web pages must include the following notices: "This is a student extracurricular organization Web page. Opinions expressed on this page shall not be attributed to the District."

11. Student Information

- a. Disclosure of student information, such as student names on their personal products, will not be allowed due to the student's rights to confidentiality.

12. Web Page Requirements

- a. All EIASE Internet Use Policy provisions will govern material placed on the Web.
- b. Web Pages shall not:
 - i. Contain personal contact information about students beyond that permitted by the school (or district) and parent.
 - ii. Display photographs or videos of any identifiable individual without a signed model release. Model releases for students under age of 18 must be signed by their parent and guardian.
 - iii. Contain copyrighted or trademarked material belonging to others unless written permission to display such material has been obtained from the owner. There will be no assumption that the publication of copyrighted material on the web site is within the fair use exemption.
- c. Material placed on the web site is expected to meet academic standards of proper spelling, grammar, and accuracy of information.
- d. Students may retain the copyright on the material they create that is posted on the Web. EIASE employees may retain the copyright on material they create and post, if appropriate, under EIASE policies.
- e. All Web pages will carry a stamp indicating when it was last updated and the e-mail address of the person responsible for the page.
- f. All Web pages should have a link at the bottom of the page that will help users find their way to the appropriate home page.
- g. Users should retain a back-up copy of their Web pages.

