

PUTNAM COUNTY CUSD #535
BOARD OF EDUCATION MEETING AGENDA
PUTNAM COUNTY PRIMARY SCHOOL - MEDIA CENTER
May 16, 2011
6:00 PM

“WHERE ALL STUDENTS WILL LEARN AND SUCCEED AND ALL MEANS **ALL**”

DISTRICT GOALS:

Demonstrate increased academic achievement for all students.

Improve communications among all stakeholders in the Putnam County School District and communities.

Maintain strong fiscal responsibility in the Putnam County School District.

EXPULSION HEARING

- I. CALL TO ORDER
- II. ROLL CALL
- III. EXECUTIVE SESSION TO DISCUSS STUDENT DISCIPLINE ISSUE 2
- IV. EXPEL STUDENT 1011-03 (Action)
- V. ADJOURNMENT

Expulsion Hearing

Date 5/16/11

- Call the hearing/Board Meeting to order
- Welcome all attendees and explain how the hearing will be conducted. (Review the following steps.)
- Opening statements can be made at this time by the administration and/or student/guardian representation.
- Administration will offer their evidence. (Bob Peterson) This should include a copy of the board's discipline policy, relevant pages of student handbook, a copy of the letter of suspension, the letter of recommendation regarding expulsion, proof of delivery, and a document showing that the student/parent received a copy of the district's disciplinary procedures.
- The administration should indicate the punishment that is recommended in this case.
- The student or representative can make a statement at this time. (Witnesses or anyone there on his/her behalf)
- Questions for either the administration or student/representative may be asked at this time. (Cross examination time)
- Both sides may provide a closing statement at this time. (optional)
- Board deliberation (without Mr. Peterson or student/representative)
- Student/representative can be brought in at this time to notify of its intent.
- Board goes into open session to take the vote. (student identified by number only)
- This concludes the hearing portion of this meeting.

Students

Expulsion Procedures

The Superintendent or designee shall implement expulsion procedures that provide, at a minimum, for the following:

1. Before a student may be expelled, the student and his or her parent(s)/guardian(s) shall be provided a written request to appear at a hearing to determine whether the student should be expelled. The request shall be sent by registered or certified mail, return receipt requested. The request should include:
 - a. The reasons for the proposed expulsion as well as the conduct rule the student is charged with violating.
 - b. The time, date, and place for the hearing.
 - c. A short description of what will happen during the hearing.
 - d. A statement indicating that The School Code allows the School Board to expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case by case basis.
 - e. A request that the student or parent(s)/guardian(s) inform the District if the student will be represented by an attorney and, if so, the attorney's name.
2. Unless the student and parent(s)/guardian(s) indicate that they do not want a hearing or fail to appear at the designated time and place, the hearing will proceed. It shall be conducted by the School Board or a hearing officer appointed by it. If a hearing officer is appointed, he or she shall report to the Board the evidence presented at the hearing and the Board shall take such final action as it finds appropriate.
3. During the expulsion hearing, the Board or hearing officer shall hear evidence concerning whether the student is guilty of the gross disobedience or misconduct as charged. The student and his or her parent(s)/guardian(s) may be represented by counsel, offer evidence, present witnesses, cross-examine witnesses who testified, and otherwise present reasons why the student should not be expelled. After presentation of the evidence or receipt of the hearing officer's report, the Board shall decide the issue of guilt and take such action as it finds appropriate.

LEGAL REF.: 105 ILCS 5/10-22.6(a).
Goss v. Lopez, 95 S.Ct. 729 (1975).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline), 7:200 (Suspension Procedures), 7:230, (Misconduct by Students with Disabilities)

ADOPTED: December 21, 2009



PUTNAM COUNTY HIGH SCHOOL

COMMUNITY UNIT SCHOOL DISTRICT #535

May 9, 2011

Ms. Lauren Egan
12996 E. 1055th St.
Granville, IL 61326

Dear Ms. Egan:

This letter is to inform you that your son, Jack Egan, has been suspended from school for 6 days, Monday, May 6, through Monday, May 16, 2011. Jack is suspended for a weapons violation. This behavior constitutes gross misconduct as indicated in the Putnam County High School Handbook, beginning on page 53. Gross misconduct involves acts that are serious enough that it requires administrative action that result in suspension or expulsion.

Furthermore, your attention is called to page 55 of the handbook, which notes: Suspensions are considered unexcused absences and students may receive 50% credit on work during a first suspension of the semester, and not receive credit for work on any subsequent suspension. The student does have the right to the work that was done, may complete assignments and have them corrected. However, it is the students' responsibility to obtain these assignments.

When students are suspended out of school they are not allowed on school property or at any extracurricular events. Students who violate this rule will be subject to additional suspensions, and may be subject to arrest for trespassing.

Your child was given due process in that:

- a. he was informed of the charge
- b. he was given the chance to respond to those charges.

You have the right to request a review hearing. In order to do so, you must make a written request to the Superintendent's Office within ten (10) days of this notice. If a review hearing is requested, it will occur at a school board meeting.

You are further notified that you may informally discuss this matter with me during regular school hours. I request that you call and make an appointment so that you will not have any unnecessary wait.

Respectfully,

Bob Peterson
Principal



PUTNAM COUNTY
COMMUNITY UNIT SCHOOL DISTRICT #535

Jay K. McCracken
Superintendent

May 9, 2011

Dear Ms. Lauren Egan:

There will be a hearing with the Putnam County CUSD 535 Board of Education on Monday, May 16, 2011 at 6:00 p.m. in the conference room at the Putnam County Primary School regarding the recommendation of expulsion for possession/use of a weapon on school grounds. The specific charges giving rise to the expulsion are as follows:

John (Jack) Egan is being recommended for expulsion for violation of Putnam County High School Handbook rules and Putnam County CUSD 535 Board Policies (Student Discipline 7:190). On Monday, May 9, 2011, Jack was suspended for possession/use of a weapon in the Putnam County High School Parking Lot on Saturday, May 7, 2011.

Jack, you are hereby requested to appear at a closed hearing before the Board of Education of District 535 to hear information and evidence regarding these charges. The hearing will convene at 6:00 p.m. Monday, May 16, 2011 in Granville, Illinois at the Putnam County Primary School in the conference room. The hearing is being held in accordance with 105 Illinois School Code 5/10-22.6 and the policies of the Board of Education of Putnam County CUSD 535.

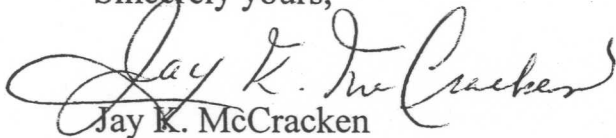
At the closed hearing, the school administration will present information and evidence supporting the expulsion recommendation. Under the laws of the State of Illinois and the policies of the Board of Education (attached), you have the right to be represented by legal counsel at the hearing and to present written and/or oral testimony rebutting the charge against you. If you plan to use legal counsel, please contact me by Thursday, May 12, 2011.

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Following the closed hearing, the Board of Education will discuss the information and evidence presented at the hearing and then convenes in a public meeting to take formal action on the expulsion recommendation. You will be notified of the Board's final action.

Both the administration and the Board of Education of District 535 view expulsion from school as a serious matter deserving thorough deliberation. If you have any questions or need additional information, please call me at 815-882-2800, extension 5.

Sincerely yours,

A handwritten signature in cursive script that reads "Jay K. McCracken". The signature is written in black ink and is positioned above the printed name.

Jay K. McCracken

Superintendent of Schools
Putnam County CUSD 535

Cumulative Attendance List

Printed: 5/9/2011 11:18 AM

Date Range Selected: 08/17/2010 to 05/09/2011

Egan, John Reilly

Grade Year: 10

Home Phone: 815-993-7300

Abs Date	Duration	Attn/Description	(E/U)	Other/Description	Description
08/26/2010	0.00	X/Less Than Half Day	(E)		09TE
10/04/2010	0.50	H/Half Day Absence	(E)	I/III	08AEI 09AEI 10AEI
11/19/2010	1.00	A/Full Day	(E)	I/III	01AEI 02AEI 03AEI 04AEI 06AEI 06AEI 07AEI 08AEI 09AEI 10AEI
11/23/2010	0.50	H/Half Day Absence	(E)	D/Dr. Appt./Hospital	01TE 03AED 04AED
11/30/2010	1.00	A/Full Day	(E)		03AED 04AED 05AED 06AED 07AE
12/08/2010	0.50	H/Half Day Absence	(E)	I/III	01AEI 02AEI
03/01/2011	0.50	H/Half Day Absence	(E)	D/Dr. Appt./Hospital	01TE 08AED 09AED 10AED
03/10/2011	0.00	X/Less Than Half Day	(E)		01TE
03/11/2011	1.00	A/Full Day	(E)	W/State Tournament	01AEW 02AEW 03AEW 04AEW 05AEW 06AEW 07AEW 08AEW 09AEW 10AEW
03/31/2011	0.00	X/Less Than Half Day	(U)	T/Truant	09AUT
04/26/2011	1.00	A/Full Day	(E)	B/Family	07AEB 08AEB 09AEB 10AEB
05/02/2011	0.00	X/Less Than Half Day	(E)		01TE
05/09/2011	1.00	A/Full Day	(U)	S/Suspended	01AUS 02AUS 03AUS 04AUS 05AUS 06AUS 07AUS 08AUS 09AUS 10AUS

Total Absences	7.00
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Cumulative Discipline Report

Date Range Selected: 08/17/2010 to 05/09/2011

Printed: 5/9/2011 11:21 AM

Putnam County CUSD 535

Date	Infraction Description/Comments	Action	First	Second	Third	Pis/Demerits	Teacher Name	Follow up Code
08/26/2010	Inapp. lang/or act.	1-Detention	09/01/2010				Bob Peterson	
05/02/2011	Tardy	1-Detention					SWINGEL	
	9/2/10							
	5/9/11							

EXPLOSIVES, INCENDIARIES, FIREARMS, WEAPONS, AND LOOK ALIKES

To bring any kind of explosive material or look alike to school, whether they are intended to be exploded or not, is prohibited. The same is true for firearms, ammunition, knives, lasers, look alike or any other weapons, whether concealed or not. No student will be in possession of any object, which could reasonably be considered as a potential hazard to another person or another person's safety. Any student who uses, possesses, distributes, purchases, or sells an explosive or firearm or any object that can reasonably be considered a weapon will be recommended for expulsion for at least one calendar year. Under the terms of the school code, it is mandated that the recommendation for expulsion be for at least one year when a firearm, weapon, or explosive is involved in the misconduct. The board of education can expel a student for up to two years for any conduct that is in violation of the student code. On a case-by-case basis the Board may modify the length of suspension or expulsion. A student who is determined to have brought a weapon to school, any school sponsored activity or event that bears a reasonable relationship to school, shall be expelled for a period of not less than one full year, except that the expulsion may be modified. For the purpose of this section, the term "weapon" means the possession, use, control, or transfer of any weapons as defined by Section 921 of Title 18, United States Code, firearms as defined in Section 1.1 of the Firearm Owners Identification Act or use of a weapon defined in Section 24-1 of the Criminal Code; other objects if used or attempted to be used to cause bodily harm include but are not limited to, knives, guns, firearms, rifles, shotguns, brass knuckles, billy clubs or look alike thereof. Such items as baseball bats, pipes, bottles, locks, sticks, pencils, and pens may be considered weapons if used or attempted to be used to cause bodily harm.

Students

Student Discipline

Prohibited Student Conduct

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

1. Using, possessing, distributing, purchasing, or selling tobacco materials.
2. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence of an alcoholic beverage are not permitted to attend school or school functions and are treated as though they had alcohol in their possession.
3. Using, possessing, distributing, purchasing, or selling:
 - a. Any illegal drug, controlled substance, or cannabis (including marijuana and hashish).
 - b. Any anabolic steroid unless being administered in accordance with a physician's or licensed practitioner's prescription.
 - c. Any performance-enhancing substance on the Illinois High School Association's most current banned substance list unless administered in accordance with a physician's or licensed practitioner's prescription.
 - d. Any prescription drug when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or prescribing physician's or licensed practitioner's instructions.
 - e. Any inhalant, regardless of whether it contains an illegal drug or controlled substance: (a) that a student believes is, or represents to be capable of, causing intoxication, hallucination, excitement, or dulling of the brain or nervous system; or (b) about which the student engaged in behavior that would lead a reasonable person to believe that the student intended the inhalant to cause intoxication, hallucination, excitement, or dulling of the brain or nervous system. The prohibition in this section does not apply to a student's use of asthma or other legally prescribed inhalant medications.
 - f. "Look-alike" or counterfeit drugs, including a substance not containing an illegal drug or controlled substance, but one: (a) that a student believes to be, or represents to be, an illegal drug or controlled substance; or (b) about which a student engaged in behavior that would lead a reasonable person to believe that the student expressly or impliedly represented to be an illegal drug or controlled substance.
 - g. Drug paraphernalia, including devices that are or can be used to: (a) ingest, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances.

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

4. Using, possessing, controlling, or transferring a weapon in violation of the "weapons" section of this policy.
5. Using or possessing an electronic paging device. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student

conduct rules. Prohibited conduct specifically includes, without limitation, creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device, or cellular phone. Unless otherwise banned under this policy or by the Building Principal, all electronic devices must be kept powered-off and out-of-sight during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student's individualized education program (IEP); or (c) it is needed in an emergency that threatens the safety of students, staff, or other individuals.

6. Using or possessing a laser pointer unless under a staff member's direct supervision and in the context of instruction.
7. Disobeying rules of student conduct or directives from staff members or school officials. Examples of disobeying staff directives include refusing a District staff member's request to stop, present school identification, or submit to a search.
8. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, and wrongfully obtaining test copies or scores.
9. Engaging in hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to a staff person or another student, or urging other students to engage in such conduct. Prohibited conduct specifically includes, without limitation, any use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing, bullying, bullying using a school computer or a school computer network, or other comparable conduct.
10. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.
11. Being absent without a recognized excuse; State law and School Board policy regarding truancy control will be used with chronic and habitual truants.
12. Being involved with any public school fraternity, sorority, or secret society, by: (a) being a member; (b) promising to join; (c) pledging to become a member; or (d) soliciting any other person to join, promise to join, or be pledged to become a member.
13. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia.
14. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, and hazing.
15. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.

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

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

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

The grounds for disciplinary action, including those described more thoroughly later in this policy, apply whenever the student's conduct is reasonably related to school or school activities, including but not limited to:

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

Disciplinary Measures

Disciplinary measures may include:

1. Disciplinary conference.
2. Withholding of privileges.
3. Seizure of contraband.
4. Suspension from school and all school activities for up to 10 days, provided that appropriate procedures are followed. A suspended student is prohibited from being on school grounds.
5. Suspension of bus riding privileges, provided that appropriate procedures are followed.
6. Expulsion from school and all school-sponsored activities and events for a definite time period not to exceed 2 calendar years, provided that the appropriate procedures are followed. An expelled student is prohibited from being on school grounds.
7. Notifying juvenile authorities or other law enforcement whenever the conduct involves illegal drugs (controlled substances), "look-alikes," alcohol, or weapons.
8. Notifying parents/guardians.
9. Temporary removal from the classroom.
10. In-school suspension for a period not to exceed 5 school days. The Building Principal or designee shall ensure that the student is properly supervised.
11. After-school study or Saturday study provided the student's parent/guardian has been notified. If transportation arrangements cannot be agreed upon, an alternative disciplinary measure must be used. The student must be supervised by the detaining teacher or the Building Principal or designee.

12. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs. The District will not provide transportation. School administration shall use this option only as an alternative to another disciplinary measure giving the student and/or parent/guardian the choice.

A student who is subject to suspension or expulsion may be eligible for transfer to an alternative school program.

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

Weapons

A student who uses, possesses, controls, or transfers a weapon, or any other object that can reasonably be considered, or looks like, a weapon, shall be expelled for at least one calendar year, but no more than 2 calendar years. The Superintendent may modify the expulsion period and the Board may modify the Superintendent's determination, on a case-by-case basis. A "weapon" means possession, use, control, or transfer of: (1) any gun, rifle, shotgun, a weapon as defined by Section 921 of Title 18, United States Code, firearm as defined in Section 1.1 of the Firearm Owners Identification Act, or use of a weapon as defined in Section 24-1 of the Criminal Code; (2) any other object if used or attempted to be used to cause bodily harm, including but not limited to, knives, brass knuckles, billy clubs; or (3) "look-alikes" of any weapon as defined above. Any item, such as a baseball bat, pipe, bottle, lock, stick, pencil, and pen, is considered to be a weapon if used or attempted to be used to cause bodily harm. The Superintendent or designee may grant an exception to this policy, upon the prior request of an adult supervisor, for students in theatre, cooking, ROTC, martial arts, and similar programs, whether or not school-sponsored, provided the item is not equipped, nor intended, to do bodily harm.

Required Notices

A school staff member shall immediately notify the office of the Building Principal in the event that he or she: (1) observes any person in possession of a firearm on or around school grounds; however, such action may be delayed if immediate notice would endanger students under his or her supervision, (2) observes or has reason to suspect that any person on school grounds is or was involved in a drug-related incident, or (3) observes a battery committed against any staff member. Upon receiving such a report, the Building Principal or designee shall immediately notify the local law enforcement agency, State Police, and any involved student's parent/guardian. "School grounds" includes modes of transportation to school activities and any public way within 1000 feet of the school, as well as school property itself.

Delegation of Authority

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

The Superintendent, Building Principal, is authorized to impose the same disciplinary measures as teachers and may suspend students guilty of gross disobedience or misconduct from school (including all school functions) and from riding the school bus, up to 10 consecutive school days, provided the

appropriate procedures are followed. The Board may suspend a student from riding the bus in excess of 10 school days for safety reasons.

Student Handbook

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

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

LEGAL REF.: Gun-Free Schools Act, 20 U.S.C. §7151 et seq.
Pro-Children Act of 1994, 20 U.S.C. §6081.
105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.36, 5/10-21.7, 5/10-21.10,
5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/24-24, 5/26-12, 5/27-23.7, and 5/31-3.
23 Ill.Admin.Code §1.280.

CROSS REF.: 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline),
6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out
of School and Graduation Incentives Program), 7:70 (Attendance and Truancy),
7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:150
(Agency and Police Interviews), 7:160 (Student Appearance), 7:170
(Vandalism), 7:180 (Preventing Bullying, Intimidation, and Harassment), 7:200
(Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus Conduct),
7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for
Participants in Extracurricular Activities), 7:270 (Administering Medicines to
Students), 7:310 (Restrictions on Publications), 8:30 (Visitors to and Conduct on
School Property)

ADOPTED: October 18, 2010

HANDBOOK RECEIPT FOR 2010-2011

STUDENT Jack Ryan

The signature above acknowledges the receipt of the Parent/Student Handbook. The staff and administration has reviewed this handbook with the students. Once issued, the student is responsible for rules and guidelines set forth in the handbook, including IHSA rules, Extracurricular Code of Conduct for the year, and the Acceptable Use Policy for Internet use. Additional handbooks are available in the Main Office. Questions regarding any material contained in the handbook should be directed to the building principal.

To: Putnam County Board of Education:
Jay McCracken Superintendent of Putnam County Schools:

As principal of Putnam County high school my recommendation for the infraction involving Jack Egan is as follows:

- To be expelled for the remainder of the 2010-2011 Putnam County school year and to finish the semester at the Regional Safe School in Washburn.
- To enter a counseling program that will start ASAP and finish when the counselor feels satisfied that the counseling has been successful (not to be completed until December 20, 2011).
- To continue at the Regional Safe school in Washburn until the completion of the first semester. This could be modified until the end of the first quarter of the Putnam County 2011-2012 school year with recommendations from the Regional Safe School, the counselor meeting with Jack, the Putnam County Superintendent and the Putnam County Board of Education.

Sincerely,

Bob Peterson
Principal
Putnam County HS