

ILLINOIS
SAFE
SCHOOLS



THE ALLIANCE

presents:

KNOW YOUR RIGHTS!
SCHOOL DISCIPLINE
CURRICULUM





KNOW YOUR RIGHTS! SCHOOL DISCIPLINE CURRICULUM

These materials are also available in Spanish, if you are interested in receiving the Spanish materials, please contact the Illinois Safe Schools Alliance. Translation was provided by the ¡Comunicaté! Translation & Interpretation Collective.

¡Comunicaté! Translation & Interpretation Collective

We are a collective who seeks to bridge accessibility between Spanish and English, in spoken and written form, in order to promote and enable community members to be their full selves in spaces where language would otherwise be a barrier. Our professional expertise are reflective of our lived experiences as bilingual, immigrant, queer, and/or femmes of color. Our aim is to grow alongside our community and ultimately create a more language inclusive world.

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ABOUT THE KNOW YOUR RIGHTS PROJECT



The mission of the Illinois Safe Schools Alliance (the Alliance) is to promote safety, support and healthy development for lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth, in Illinois schools and communities, through advocacy, education, youth organizing and research.

This curriculum was created by members of the Alliance Youth Committee. The Chicago Lawyers' Committee for Civil Rights (the Lawyers' Committee) and Stand Up For Each Other Chicago (SUFCO) were consulted when developing our Know Your Rights comic materials, whose contents informed this curriculum.

The Education Equity Project of the Chicago Lawyers' Committee for Civil Rights protects and promotes access to education by addressing barriers that unfairly impact historically marginalized communities. They work to disrupt the school-to-prison pipeline and address educational disparities by: 1) representing students and families in discipline and discrimination cases, and 2) working with community partners to achieve systemic reform.

SUFEO is an initiative led by law students at Loyola University Chicago School of Law to address school suspensions of pre-K through high school students in the Chicago area. The goal of the organization is to reduce the use of out-of-school suspensions and keep young people in school and on track to graduate. "SUFCO members inform parents and students of their rights and coach parents on how to communicate with administrators effectively. Through SUFCO, law students also advocate for students in the suspension appeal and school reintegration processes.

Goals for this Project

The goal of the Illinois Safe Schools Alliance is to support young people's success in their school environments by providing essential information about their rights, and the responsibility their schools have to honor and accept them. When students know their rights, they are more likely to get the support they need to address the root causes of the problems at hand and demand remedies that allow them to thrive in their academic setting. When doing so, they develop key leadership and advocacy skills. Our goal is to meet the needs of youth and respond to requests for more legal resources, opportunities for peer-to-peer mentoring, legal and medical rights awareness, and support around discriminatory discipline practices in school.

Why this Project?

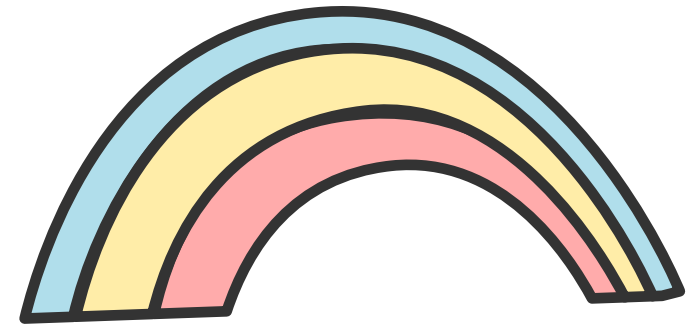
As a youth-advocacy organization, we see grossly disproportionate access to education depending on race, economic resources, family support and geographic location. Lack of access to safe and supportive education can impact achievement later in life & limit opportunity for mobility, employment, and health. At the Illinois Safe Schools Alliance, we believe that all students, not just LGBTQ students, flourish in environments where diversity is valued.

**DISCLAIMER:
THIS CURRICULUM IS FOR INFORMATIONAL
PURPOSES ONLY AND NOT FOR THE PURPOSE OF
PROVIDING LEGAL ADVICE.**

HOW TO USE THE KNOW YOUR RIGHTS CURRICULUM



The Know Your Rights (KYR) project is designed for youth, by youth, to educate young people and youth-serving organizations about students' rights in regards to School Discipline, Law and Policy, LGBTQ+ Rights in School, Sexual Health, and Organizing and Advocacy. Due to the nature of our work, this is done through an LGBTQ+ lens. This project is informed by Illinois law, Federal law, and best practices, and the information is only applicable in the state of Illinois.



The KYR materials are made up of a comic booklet and a corresponding curriculum. The curriculum is meant to be used to create workshops that will have young people interact with the comic booklets. The activities in the curriculum are meant to engage and familiarize participants with the corresponding comic booklets, and allow them to practice exercising their rights in different scenarios. If the participants want a deeper understanding of the topic in the activity, they can find most of that information in the comic booklets.



Choose your own adventure!

In this curriculum, you will be able to choose the activities that best fit your needs, learning goals, and time. Each section consists of at least one activity and all activities can stand alone. Participants don't need prior knowledge to participate in any of the activities.

GETTING SET UP FOR YOUR WORKSHOP



Before you start your workshop, you should do the following things to ensure it goes as smoothly as possible.

First and foremost, remember to familiarize yourself with the material and the activities you plan to do beforehand.

Read through the comic booklets and the curriculum at least twice before presenting. If you know of anyone who has experience leading workshops, you can also ask them to help you lead one of these!

Establish Guidelines:

At the beginning of the workshop, it is helpful to establish group guidelines. These guidelines are informal rules that are established by the group to reflect expectations of how group members should behave and interact with each other. Some examples of guidelines you could establish within your group are:

One Mic: Only one person talks at a time, the person talking should have the floor and everyone else should be listening respectfully.

Take Space, Make Space: If someone has not participated a lot, encourage them to "take space" and be more involved in the activity. If someone is very involved in the activity and is not giving others a lot of time to participate, encourage them to "make space" and let others participate more.

Don't Yuck My Yum: If someone says that they like something, don't downplay their likes because we're all entitled to our own opinion.

Focus Goggles: This is a term to get back on track. If someone feels the group is getting distracted, they can say "focus goggles" and everyone becomes silent and uses their fingers to build goggles around their eyes. They can then focus on the activity again.

Presentation Basics:

When presenting, it is important to create a space where you can see all participants and engage with them. Be sure to project your voice so that you can be heard clearly in the room. Remember, a pause is better than a 'like' or an 'Um'- if you are unsure or struggling to find the right words, take a pause and gather your thoughts.

Familiarizing yourself with the material and the activities you plan to do beforehand can help lower the number of times you need to pause throughout the workshop, and help you feel more comfortable while presenting.

And finally, **be honest about what you don't know**, questions will come up in these workshops that you may not have answers to, and that's OK. You do not need to be an expert on these topics to give these workshops or to participate in the workshops. If you do not know an answer to a question, you can say "I'm not sure" and offer to help that person research the answer. We do not want to come up with an answer on the spot and give people false information.

Keeping Time:

It is important to keep track of time and plan your activities according to the amount of time you have. It is helpful to have a timer/stopwatch on hand for activities and discussion time. For example, if you have an activity that is supposed to take 15 minutes, you should set your stopwatch and watch the time. If the activity goes over the time slotted you do not have to end the activity right away, but should consider wrapping it up and moving on.

Another way of managing your time is setting an agenda. This will not only help you keep time, but also organize the activities you will be facilitating during the workshop. We have provided model agendas on page 12 to help you set up your workshops.

Getting Feedback:

It is a good idea to get feedback on your workshops so you can improve them in the future. You can also use the feedback to improve your presentation and workshop facilitation skills in general.

When developing these workshops, we offered these questions to people via an anonymous survey:

- » Describe how you feel about the workshop in one word.
- » Can you say more about this word? What do you mean?
- » Were any parts of the workshop confusing? Which parts?
- » Do you feel like you could apply what you learned to your experiences in school?
- » What is one thing the facilitators did well? What is one thing they could practice more?
- » Do you have any suggestions for future workshops?

You can decide to give a similar anonymous survey for participants to fill out, or you can decide to lead a discussion verbally so people can give you feedback immediately. If you decide to do a discussion, we recommend taking notes so you can reference them later.

Making an Agenda

In this curriculum, you will be able to choose what activities best fit your needs, learning goals, and allotted time. Each section contains at least one activity that you can choose from and facilitate. Below you will find examples of 30, 45, and 60 minute workshops.

Agenda #1 (30 minutes):

School Discipline

- Intros & Overview of Workshop, 5 minutes
- Activity #2: Root-Cause Tree, 20 minutes
- Feedback and Closing, 5 minutes

Agenda #2 (45 minutes):

School Discipline

- Intros & Overview of Workshop, 5 minutes
- Activity #2: Root-Cause Tree, 20 minutes
- Activity #4: Advocacy Letters, 15 minutes
- Feedback and Closing, 5 minutes

Agenda #3 (60 minutes):

School Discipline

- Intros & Overview of Workshop, 5 minutes
- Activity #2: Root Cause Tree, 20 minutes
- Activity #3: 504 v.s. IEP, 15 minutes
- Activity #5: Amendments, 15 minutes
- Feedback and Closing, 5 minutes

Based on the amount of time you have, you can use the suggested agendas or create a tailored agenda to fit your particular learning goals, time, and needs. There are five different activities to choose from and you can include as many or as few activities as you want, in any order.

ACTIVITY #1

GROUP DISCUSSION



5-10 minutes

Activity Goals:

This activity is intended to be a discussion that can help gauge where participants are in their understanding of discriminatory discipline. It is meant to be open ended, meaning there are no right or wrong answers.

Materials:

A copy of the guiding questions (see: Activity #1 Guiding Questions) for the facilitator.

Directions:

1. Have participants arrange themselves/sit in a circle so they are facing each other.
2. Pose the guiding questions (see: Activity #1 Guiding Questions) to the group in the order listed.
 - **Remind everyone that this is a conversation, encourage people to ask questions, elaborate, and if they are comfortable, share their own experiences. Remind them that there are no right or wrong answers, and that you will not be providing any answers.**



Guiding Questions for Activity #1

- 1. What does the phrase “discriminatory discipline” mean to you?**
 - If the group is struggling to define it, you can ask them to define the words “discrimination” and “discipline” separately, then what the phrase “discriminatory discipline” might mean.
 - Below are example definitions of “discrimination” and “discipline,” in case you need help defining these words.
- » **Discrimination:**

Treating people differently or negatively without any reasonable justification, often based on prejudice.
- » **Discipline:**

Consequences imposed as a response to a certain behavior or group of behaviors.
- 2. Have you had any experiences with these practices? What were they?**
- 3. Do you feel that schools should be able to treat students differently based on their identities?**

ACTIVITY #2

DISCRIMINATORY DISCIPLINE ROOT-CAUSE TREE



15 - 20 minutes

Activity Goals:

- Define discriminatory discipline in a group setting.
- Identify the main causes and resulting outcomes of discriminatory discipline.

Materials:

- Poster paper or large area to write on
- Marker/Chalk

Directions:

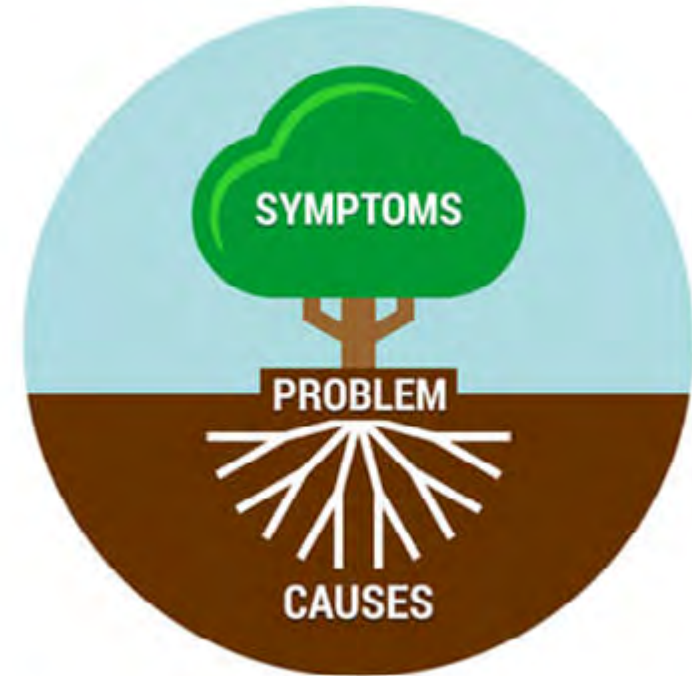
1. Have participants arrange themselves/sit in a semi-circle so that everyone can see the poster paper or board from where they are sitting.

NOTE: For the sake of time, it is a good idea to have your space already set up before participants even enter the space. That means setting up the seating in the room so participants are facing the poster paper/board as soon as they get situated.

2. Explain that the group will be creating a diagram about the causes and outcomes of discriminatory disciplinary practices by drawing a “root-cause tree.” Read these descriptions of the parts of the tree aloud:

- **The Trunk** - The trunk represents the main issue you are focusing on, in this case it will be discriminatory discipline.
- **The Leaves** - The leaves represent the outcomes or the results of the main issue. If the main issue (the trunk) was the common cold, then the outcomes or results (the leaves) may be symptoms of a cold, such as a runny nose, sore throat, etc.
- **The Roots** - The roots are the cause of the issue. They give it life! The roots for the common cold could be germs, seasonal changes, lack of medicine, etc.

A visual representation of these concepts looks like this. Feel free to draw it out so people understand it a little clearer:



3. Once everyone understands the parts of a tree, draw a tree and write the main issue, “Discriminatory Discipline”, inside the trunk.
4. If you did not do Activity #1, ask the group what discriminatory discipline means to them.
 - If the group is struggling to define it, you can ask them to define the words “discrimination” and “discipline” separately, and then guess what the phrase “discriminatory discipline” might mean.

Directions (Continued) :

5. Ask the group what they think are the outcomes of discriminatory discipline. Write these down at the top of the tree – the leaves.
6. Next, ask them to think about what the causes of discriminatory discipline practices might be. Write these at the bottom of the tree as the roots.
7. Discuss the main cause(s) of discriminatory discipline and brainstorm how they could be addressed.
 - Do these problems only show up in school? How can we address them elsewhere?”
 - » How do we address the main causes without focusing only on the outcomes (leaves)?
 - » What roles can students play in addressing the causes in school? What about teachers, principals, and other school staff?
 - » Do these problems only show up in school? How can we address it elsewhere?

ACTIVITY #3 TRUE OR FALSE: 504 PLANS & IEPs



10-15 minutes

Activity Goals:

- Identify two forms of Special Education plans
- Educate students about IEPs and 504 plans and the process for getting one

Materials:

A copy of the true/false statements and answers for the facilitator.

Directions:

1. Assign one side of the room as the 'true side' and the other as a 'false side'. Announce this to the whole group.
2. Read the statements one at a time (see: Statements and Answers for Activity #3) and ask participants to move to the "true" side if they think the statement is true and to the "false" side if they think the statement is false.
3. Once all participants have selected a side of the room, read the correct answer and explanation for it.
4. Repeat this process until you have gone through all the statements.



Statements and Answers for Activity #3

Statement 1:

504 plans and IEPs are support plans for students with disabilities.

- **Answer: True**

Both 504 plans and IEPs are forms of support plans for students with different disabilities. While IEPs are limited to specific disabilities, 504 plans are open to students who have disabilities but may not qualify for an IEP.

Statement 2:

If you have a 504 plan/IEP, you have special protections in place when being disciplined by your school.

- **Answer: True**

The Individuals with Disabilities Education Act and the Rehabilitation Act of 1973 offer protections to students with 504 plans and IEPs when being disciplined by their schools. The protections vary a lot depending on the circumstance, but they generally apply in two broad situations:

- » **When there's a removal from school that meets the legal standard of change in placement, AND**
- » **When a student's misbehavior is caused by their disability or was the result of the school's failure to follow their IEP or 504 plan.**

Statements and Answers for Activity #3 (Continued):

- » **Even if the student’s misbehavior was not caused by their disability, students with IEPs are also entitled to educational services when they are expelled or suspended for more than 10 total days in a school year.**

Statement 3:

If you have or think you have a disability, your parent/guardian can request an evaluation from your school district.

- **Answer: True**

Your parent/guardian can request an evaluation from your school district.

Statement 4:

If a teacher, agency, or mental health professional requests an evaluation for you, you are required to comply.

- **Answer: False**

If someone else requests an evaluation for you, your parent/guardian can choose whether or not it happens.

Statement 5:

You have the right to a free formal evaluation from your school once your parent/guardian requests it and the school considers the evaluation to be necessary.

- **Answer: True**

If it is determined that an evaluation is necessary, the district must complete the evaluation no later than 60 school days following the date your parent signed the written consent form.

Statement 6:

Your school must invite you to any IEP meetings that will discuss transitional planning if you are 14 ½ years old or older.

- **Answer: True**

An important part of IEPs is the transition plan. A transition plan should help student with getting a job, furthering education, and living independently in the years after high school. If you are 14 ½ years old or older, you must be invited to any meetings that discuss transition planning but you are not required to attend.

Statements and Answers for Activity #3 (Continued):

Statement 7:

If you have a disability, but it does not impact your learning ability, you do not qualify for an IEP or a 504 plan.

- **Answer: False**

If a student has a physical disability, that does not directly interfere with their ability to learn, they might qualify for a 504 plan. For example, students who require a wheelchair or auditory enhancements but who otherwise can access the educational curriculum may find a 504 plan helpful. The plan can contain information on how the school will accommodate physical needs to access education.

Statement 8:

There is one person in charge of enforcing your IEP/504.

- **Answer: True**

There may be multiple people on your support team, but there should be one specific person enforcing your IEP/504 plan. If your IEP or 504 plan is not being executed properly, this is the person you should go to.

Statement 9:

Your parent can request to be re-evaluated for your IEP every year if you want.

- **Answer: True**

Your parent can request a re-evaluation every 12 months if necessary. However, a new evaluation has to take place at least every 3 years whether or not you request it, unless your parent and the district agree that that a new evaluation is not necessary.

Statement 10:

If you take action to make sure your IEP and 504 plan is being properly executed, you should not be disciplined.

- **Answer: True**

School districts receiving federal funds are prohibited from intimidating, threatening, coercing, or discriminating against anyone for the purpose of interfering with any rights or privileges secured by their IEP or 504 plan.

ACTIVITY #4

DRAFTING LETTERS



10 - 15 minutes

Activity Goals:

- Develop participant's self-advocacy strategies and skills.
- To learn elements to include in advocacy letters.

Materials:

Depending on your resources, you can choose one of these options for the scenarios:

1. Print one copy for each participant
2. Transcribe them on a board that is visible to everyone
3. Project them from a computer

Based on which route you pick, you may need the following materials:

- Poster paper or large area to write on
- Markers/Chalk
- Laptop, projector, and screen (if projecting scenario)
- The Know Your Rights comic materials (for any of the set-ups)

Directions:

- 1. Break participants up into small groups. If you have less than 5 people there is no need to form smaller groups and give each group the scenario.**
- 2. Give groups 5-7 minutes to read and discuss the scenario. Ask them to begin identifying what would be essential components to include in an advocacy letter.**
 - If groups are having trouble thinking of what to include in the letter, they can reference the “Know Your Rights School Discipline” comic materials.
- 3. Allow 1-2 minutes for each group to share back what they would include in their letter.**
- 4. You have an answer key and should provide feedback to their responses (see: Answers to Activity #4 Scenario Questions).**
 - Please note there are multiple ways for the student in the scenario to navigate the situation. The steps we recommend should not be seen as the *only* “correct” answer, but rather as recommendations.
 - If a group comes up with an answer that you think is wrong, be sure to offer the information that is provided in the answer key as well.
- 5. After each group has presented, you can share the guidance listed after the scenario on page 31-32.**

Scenario for Activity #4: Unfair discipline from a teacher

Natalie is a transgender high school student, and she loves makeup. One day in 5th period, her teacher kicks her out of class for wearing makeup that “distracts” other students from learning. After being kicked out of class, Natalie received a detention and was told she will not be able to make up assignments that she missed. The next day, Natalie returns to her 5th period class and the teacher tells her she can either wash the make-up off her face or get another detention. Natalie says that no cisgender girls are being told to wash their faces, and the teacher threatens to suspend her and kicks her out again.

Natalie decides she wants to advocate for herself and decides to write a letter to her principal and assistant principal to let them know what is happening. Help Natalie decide what should be included in her letter.

Something to consider: Does the dress code at the school state that students are prohibited from wearing makeup at school? If not, is it right that Natalie is told she can't wear makeup while other students can?

If you want ideas on what to include in the letter, feel free to look at the School Discipline comic materials under ‘Discriminatory Discipline’.

Guidance for Possible Answers for Activity #4

When writing your letter, you can include this information:

- **The name of the person you are complaining about**

In this case, Natalie would include the name of her 5th period teacher.

- **The dates and times they discriminated against you (or the other student(s))**

Natalie can mention the two dates that she kicked was out of class.

- **Any people who saw what was going on**

Natalie could include peers who witnessed what the teacher said to her.

- **What happened, with as much detail as possible**

If she can remember, Natalie can try to quote the language that the teacher used directly.

- **Any people who saw what was going on**

- **Any problems this is causing Natalie**

If she can remember, Natalie can try to quote the language that the teacher used directly.

- **What Natalie wants to happen now that she's written a complaint (please keep in mind that her school does not legally have to do any of these things, but Natalie can ask for them) such as:**

Guidance for Possible Answers for

Activity #4 (Continued):

• **What Natalie want to happen now that she’s written a complaint (please keep in mind that her school does not legally have to do any of these things, but Natalie can ask for them) such as:**

- » “I want the teacher to apologize to me”
- » “I want this person to get training on LGBTQ+ issues and identities”
- » “I want all detentions and suspensions this person gave me taken off my record”
- » “I don’t want this person to interact with me anymore”

NOTE: If Natalie were to get suspended, appealing a suspension or expulsion is not easy. If a student is suspended or expelled and wants to appeal the suspension or expulsion, we recommend reaching out to someone who understands the process for appealing a suspension. If you know anyone is interested in appealing their suspension or expulsion they can reach out to **Standing Up For Each Other (SUFE0)** at 773-800-0338. SUFE0 is a group of law students who help people in the Chicago area appeal their suspensions. Similarly, the **Chicago Lawyers’ Committee for Civil Rights (the Lawyers’ Committee)** represents students in expulsion hearings that go to CPS schools, charter schools in Chicago, as well as students in Chicagoland suburban school districts (even some outside of Cook County). If you want help with your expulsion hearing, you can reach the Lawyers’ Committee at 312-630-9744.

ACTIVITY #5

CONSTITUTIONAL RIGHTS IN SCHOOL



10 minutes

Activity Goals:

- Understand how constitutional amendments apply to students in school
- Identify strategies to keep students safe in school despite having limited constitutional rights

Materials:

- A copy of the true/false statements and answers for the facilitator.
- Copies of the 1st, 4th, and 5th amendments.
- The Know Your Rights comic materials.

Directions:

1. Before you start, have volunteers read the first, fourth, and fifth amendments aloud.
2. Assign one side of the room as the ‘true side’ and the other as a ‘false side’. Announce this to the whole group.
3. Read the statements one at a time (see: Statements and Answers for Activity #5) and ask participants to move to the “true” side if they think the statement is true and to the “false” side if they think the statement is false.
4. Once all participants have selected a side of the room, read the correct answer and explanation for it.

Repeat this process until you have gone through all the statements.

The 1st, 4th, and 5th Amendments

1st Amendment:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

4th Amendment:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

5th Amendment:

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Scenarios for Activity #5:

Scenario 1:

Miguel is a junior in high school. Recently, the school has become suspicious of students selling drugs on school grounds. The school has started to search lockers to try to find drugs. Miguel doesn't sell drugs and feels that the officials shouldn't be allowed to search his locker.

True or False: School administration would need a warrant to search Miguel's locker based on the fourth amendment protection against "unreasonable searches."

(Please note that the 4th amendment applies differently to police officers than security guards, teachers, school administration, etc.)

Answer: False. School employees can search your locker, your desk, your person (your pockets and your bag), and your car (if it's parked on school property) without a warrant.

Scenario 2:

Diamond has been called into the Dean's office for allegedly cyberbullying her classmate Daniel. The Dean starts to question her about what happened last night between her friends and Daniel.

True or False: Diamond's "right to remain silent" in this situation is protected by the fifth amendment

(Please note that the 5th amendment applies differently to police officers than security guards, teachers, school administration, etc.)

Answer: False. Generally, questioning by a school official does not give you a right to remain silent if the questioning is for disciplinary purposes. If you're being interrogated by a police officer, you can ask "am I free to go?". If you are not allowed to, this is called custodial interrogation. In this case, you can refuse to speak until someone you trust comes, preferably an attorney. If you are being questioned at school, you can similarly ask to have your parent/guardian or someone else you trust in the room with you. The school does not necessarily have to provide another person you trust that's not your parent, but your parent does have the right to be there with you, if they can show up to the meeting.

Scenario 3:

Tasha and her girlfriend Shayla are kissing in the hallway after school. A teacher tells them to stop kissing in the hallway or they'll receive a detention. The teacher walks away and Tasha and Shayla continue kissing because they see a heterosexual couple, Dylan and Myesha, doing the same thing a couple of lockers down, without being told to stop. The teacher comes back and issues Tasha and Shayla detentions.

True or False: Tasha and Shayla's first amendment rights to free speech were violated.

Answer: False. Public displays of affection are not pure speech, and can be restricted in schools provided a reasonable school interest.

BUT, because in this case the same-sex couple received a detention and the heterosexual couple did not, Tasha and Shayla can file a complaint with the Department of Education, based off Title IX, claiming discriminatory enforcement of school policy.

NOTE: Title IX is part of the Educational Amendments of 1972 that states that a student can't be discriminated against based on sex. For more information, check out our Law and Policy materials.



THANK YOU TO OUR CONTENT PARTNERS!



THANK YOU TO OUR FUNDERS!

