

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION

DOE ET AL  
Plaintiff

MARIST HIGH SCHOOL ET AL  
Defendant

2016CH15694  
CALENDAR/ROOM 06  
TIME 00:00  
Injunction

No. \_\_\_\_\_

CHANCERY DIVISION CIVIL COVERSHEET  
GENERAL CHANCERY SECTION

A Chancery Division Civil Cover Sheet - General Chancery Section shall be filed with the initial complaint in all actions filed in the General Chancery Section of Chancery Division. The information contained herein is for administrative purposes only. Please check the line in front of the appropriate category which best characterizes your action being filed.

- 0005 \_\_\_\_\_ Administrative Review
- 0001 \_\_\_\_\_ Class Action
- 0002  Declaratory Judgment
- 0004  Injunction

- 0007 \_\_\_\_\_ General Chancery
- 0010 \_\_\_\_\_ Accounting
- 0011 \_\_\_\_\_ Arbitration
- 0012 \_\_\_\_\_ Certiorari
- 0013 \_\_\_\_\_ Dissolution of Corporation
- 0014 \_\_\_\_\_ Dissolution of Partnership
- 0015 \_\_\_\_\_ Equitable Lien
- 0016 \_\_\_\_\_ Interpleader
- 0017 \_\_\_\_\_ Mandamus
- 0018 \_\_\_\_\_ Ne Exeat

- 0019 \_\_\_\_\_ Partition
- 0020 \_\_\_\_\_ Quiet Title
- 0021 \_\_\_\_\_ Quo Warranto
- 0022 \_\_\_\_\_ Redemption Rights
- 0023 \_\_\_\_\_ Reformation of a Contract
- 0024 \_\_\_\_\_ Rescission of a Contract
- 0025 \_\_\_\_\_ Specific Performance
- 0026 \_\_\_\_\_ Trust Construction
- Other (specify) \_\_\_\_\_

2016 DEC -5 AM 8:52  
CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
CHANCERY DIV.  
Dorothy Brown, Clerk

By: [Signature] Attorney [Signature] Pro Se

Atty. No.: 1662  
Name: STEW GURK  
Atty. for: PLAINTIFFS  
Address: 3338 COMMERCIAL AVE  
City/State/Zip: NORTBROOK IL 60062  
Telephone: 847-480-7744

IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT, CHANCERY DIVISION

JOHN DOE, as father and best friend of  
JANE DOE, a minor, and JOHN ROE, father  
and best friend of JANE ROE, a minor,

Plaintiffs

vs.

MARIST HIGH SCHOOL, an Illinois Not-  
For-Profit Corporation, LARRY TUCKER  
and BETH O'NEILL,

Defendants

CASE No.:

2016CH15694  
CALENDAR/ROOM 06  
TIME 00:00  
Injunction

2016 DEC -5 AM 8:52  
CIRCUIT CLERK  
COUNTY OF ILLINOIS  
CHANCERY DIV.  
DOROTHY STARVA

**VERIFIED COMPLAINT FOR EQUITABLE AND MONETARY RELIEF**

Now comes the plaintiffs, John Doe and John Roe, as fathers and best friends of Jane Doe and Jane Roe, by and through their attorney, Steven E. Glink, and complaining against the defendants, states as follows:

**THE PARTIES**

1. John Doe and John Roe are residents of and Cook County, Illinois.
2. John Doe and John Roe are the biological fathers of Jane Doe and Jane Roe respectively.
3. Jane Doe and Jane Roe are white females under the age of eighteen and at all times relevant to this complaint, resided with their parents in Cook County, Illinois.
4. Marist High School is a Catholic High School located in the City of Chicago, Cook County, Illinois.
5. Marist High School is incorporated pursuant to the laws of the State of Illinois.

CLERK OF THE CIRCUIT COURT - COOK COUNTY

60197189 CHANCERY-01 12/5/2016 8:42AM

Att: 16002 923 EMMIKAS

AD 000000: \$0.00

CASE NO: 2016CH15694 CALENDAR: 06

COURT DATE: 0/0/0000 12:00PM

CASE TOTAL: \$368.00

File Fee \$

Document Storage

Attachment

Law Library

Arbitration

Dispute Resolution

Court Services

Collector Bailms Re

Access Justice Fund

e-Business

CHECK NO: 4814

CHECK AMOUNT:

CHANGE

RECEIPT 0001 OF 0001  
TRANSACTION TOTAL:

\$368.00

THANK YOU

\$368.00  
\$0.00  
\$2.00  
\$19.00  
\$25.00  
\$1.00  
\$13.00  
\$21.00  
\$25.00  
\$25.00  
\$368.00

6. At all times relevant to this complaint, Larry Tucker was employed as the Principal of Marist High School
7. At all times relevant to this complaint, Beth O'Neill was employed as the Dean of Discipline at Marist High School;

#### **FACTUAL ALLEGATIONS**

8. Prior to November 4, 2016, Jane Doe and Jane Roe were outstanding students, both seniors, in good standing and enrolled Marist High School for the last three and one-half years. At the time that these events occurred, plaintiff Jane Doe was taking one AP course and Jane Roe was taking two AP courses as a part of their college preparatory curriculum.
9. John Doe and John Roe paid various fees to obtain and continue their daughters' enrollment at Marist High School and as such, both plaintiffs have a contractual relationship with Marist.
10. From September 27-30, 2016, Marist offered its female students the opportunity to participate in a religious retreat known as Kairos. The stated purpose of this retreat is for these female students to freely express themselves on all types of topics including but not limited to their feelings about their parents, sexuality and other issues that are of private and personal nature. Kairos is a multi-day spiritual awakening activity sponsored by the Catholic Church for high school and college-age youths with the purpose of helping the participants contemplate their relationship with God, discover their own identify and build stronger bonds with their peers with the understanding of confidentiality of what is said on the retreat.
11. Marist staff members and adult leaders were participants in the Kairos retreat. Colleen Pochyly is the Student Life Administrator and leads, runs and organizes the retreat.

12. Plaintiffs elected to sign up and were subsequently selected by Marist staff to participate in this retreat and their fathers paid a separate fee to Marist to do so.
13. During the retreat, the adult Marist High School staff promised the plaintiffs as well as the other student participants and parents that any comments they made orally would be strictly confidential.
14. Plaintiffs and the other student participants in the Kairos retreat were also promised that there would be no retaliation of any kind for any comment made by or attributed to the students because the intent of the retreat was to become closer to Jesus and the Church by full disclosure of feelings on issues that are generally personal and private in nature.
15. On November 5, 2016, an off duty Chicago Police Officer shot and killed an armed African American male wielding a firearm in the Mt. Greenwood neighborhood of Chicago.
16. In response to this shooting, the Black Lives Matters group (hereafter BLM) organized a protest in the Mt. Greenwood neighborhood.
17. Plaintiff Jane Doe and several of her friends reside in the neighborhood where the protests were planned.
18. This protest and the underlying incident (the shooting by the off duty Chicago Police Officer) received extensive media coverage.
19. Leading up to the planned protest, one of the members in the Kairos group texted a tweet to the plaintiffs and their friends in the Kairos Group that BLM was going to bring members of the Gangster Disciples street gang to Mount Greenwood to kill all white kids in retaliation for the shooting by the off duty Chicago Police Officer (partially redacted copies of these text messages is attached hereto as exhibit A).
20. Plaintiffs and many of their friends feared for their safety/lives and the safety/lives of their families because many of them live in Mount Greenwood neighborhood.

21. In response to these provocative comments, plaintiffs and some of their friends made private comments on the Kairos program group text others believed to be racially insensitive.
22. A Marist High School student, who was actively participating as a member of the Kairos Program group text, who had access to the Kairos group text "screenshotted" these comments, altered some of these messages, which was then posted by the Official Marist Twitter Account, Official Marist Facebook Account and the Principal Larry Tucker's Official Twitter Account.
23. Marist officials, as the administrators of their Official Facebook Account and Twitter Accounts, allowed and continued to allow the then posted plaintiffs' full names and their private comments without permission on the school's Official Facebook page, Official Twitter Page AND the Principal's (Tucker) Twitter Page (partially redacted copies of these documents are attached hereto as exhibit B) to remain public.
24. Immediately upon being apprised of these private comments, Marist (Tucker and O'Neill) unilaterally suspended plaintiffs and 3 of the 32 girls who were participants in the Kairos group text from the school without any formal charges of misconduct; without hearing plaintiffs' explanation of their comments and without any formal disciplinary process. Discipline was arbitrary and capricious, given that the group text consisted of 287 text messages many with statements containing similar language from 32 girls and only 5 were suspended/expelled.
25. Plaintiffs remain expelled from Marist as of the date this complaint was filed Marist's letter to Marist parents is attached as exhibit C).

26. Marist (Tucker and O'Neill) has not and will not agree to allow plaintiffs to return to Marist as students as of the date that this complaint was filed (see exhibit C).

### **COUNT I-BREACH OF CONTRACT**

27. At all times relevant to this complaint, Marist had adopted and enacted a student handbook that it intended to be binding on itself and its students (a copy of the relevant excerpts of said handbook is attached hereto as exhibit D).

28. The relevant part of the handbook states that no student will be dismissed (expelled) unless that student's conduct causes damage to the school's reputation or causes a disruption at the school. . The Plaintiffs did not post anything to the Official Marist Facebook Page and Twitter Account or Larry Tucker's Twitter Page.

29. On March 10, 2014, an African American Marist student (and football player) tweeted a comment advocating the killing of white people (a copy of this tweet is attached hereto as exhibit E).

30. Marist became aware of these comments immediately and additionally took no steps to warn parents and students and took no disciplinary action against this student. Rather, the student was "counseled" by Marist staff.

31. Defendants' promises of confidentiality and no retaliation made to plaintiffs as part of the Kairos retreat are binding and enforceable.

32. Under Illinois law, the handbook constitutes a legally binding contract between the parties. *Duldulao v. St. Mary of Nazareth Hospital*, 115 Ill. 2d 482 (1987).

33. Under Illinois law, plaintiff may file a breach of contract claim against a private school for wrongful dismissal. *Brody v. Finch University of Health Services*, 298 Ill. App. 3d 146 (2<sup>nd</sup> Dist., 1998); *Bilut v. Northwestern University*, 269 Ill. App. 3d 125 (1<sup>st</sup> Dist., 1994).

34. Defendants' decision to dismiss/expel plaintiffs from Marist is a breach of both the oral and written contracts between the parties because:
- a. Plaintiffs did not violate the rules of the student handbook. Plaintiffs' private comments in the Kairos Program group text were protected and did not damage the school's reputation. Rather, it was Marist's intentional acts of allowing the posting of the plaintiffs' full name and comments on Marist's Face Book page AND Marist's Official Twitter Account AND the Principal Larry Tucker's Twitter Page, which were accessible to members of the public, that caused any controversy at Marist;
  - b. Defendants' decision to take any disciplinary action against the plaintiffs violated the oral promises (complete confidentiality and no retaliation) made at the Kairos retreat;
  - c. Defendants improperly suspended/dismissed plaintiffs without hearing their side of the story and without any disciplinary process such as requiring a hearing and allowing for an appeal as provided for in the handbook as required by the handbook;
35. Defendants' decision to deprive plaintiffs of their continued education at Marist is arbitrary, capricious and unreasonable because:
- a. Plaintiffs' discipline by defendants is grossly disproportional to the African American student's consequences for his comments because the comments made by the African American student, whose "sanction was only counseling, were direct threats of harm whereas safety of children was compromised with no notification of parent, children or authorities;
  - b. By comparison, the comments made by the minor plaintiffs (attached as exhibit F) were, at most, racially insensitive;
  - c. Plaintiffs are being maligned, labeled as racist and used as scapegoats by Marist to respond to an array of social media criticisms and media pressure created in



large part by Marist High School itself by failing to monitor and administer its Face Book and Twitter accounts (attached as exhibit G);

- d. Discipline has been made in a public nature and is unduly harsh because this has had a negative impact on plaintiffs' reputation in their community as well as their ability to attend the college or university of their choice.

WHEREFORE, plaintiffs respectfully pray that this Honorable Court conduct any appropriate trial or hearing and enter a judgment in plaintiffs' favor and against the defendant.

Because this is a unique personal service contract, plaintiffs respectfully pray that this Honorable Court enter an order reinstating plaintiffs as full time students at Marist and to order defendants to allow them to attend and complete their education at school until they graduate and obtain their diplomas.

In the alternative, plaintiffs' respectfully prays that this Honorable Court enter a judgment in their favor and against the defendants in the amount of \$65,000.00 each plaintiff for tuition paid plus costs.

#### **COUNT II-VIOLATION OF THE CONSUMER FRAUD ACT**

36. This count is brought pursuant to Illinois' Consumer Fraud and Deceptive Practices Act, 815 ILCS 505/1 et seq.
37. Plaintiffs restate their allegations in paragraphs 1-35 above as their allegations for this Count and all such allegations are hereby incorporated by reference.
38. Plaintiffs are "consumers" as defined by section 1 (e) of the Act.
39. Defendants are a "person" as defined by section 1 (c) of the Act.
40. Defendants' provision of educational services is "merchandise" as defined by section 1 (b) of the Act.
41. Plaintiffs have a private right of action under section 10 (a) of the Act.
42. Defendants engaged in trade and/or commerce as defined in section 1 (f) of the Act.

43. Defendants made material statements of fact to the plaintiffs, to wit, that any comments made by plaintiffs in the Kairos group chat would be completely confidential and there would be absolutely no retaliation for any comment made.
44. At the time defendant made these representations, defendants intended, knew or should have known that the plaintiffs would rely on said misrepresentation, to wit, their promises of strict confidentiality and no retaliation for any comments made under the auspices of the Kairos retreat.
45. At all times relevant to this complaint, defendants had a duty to refrain from making false statements or misrepresentations of material fact.
46. In violation of said duty, defendants have engaged in deceptive acts as defined by section 2 of the Act in that by arbitrarily suspending / dismissing plaintiffs from its school under the facts alleged above.
47. As a direct and proximate result of defendant's deceptive practices, plaintiffs have lost the ability to attend, graduate and receive their Marist diploma and have wasted over \$65,000.00 in payments for tuition, books and other school related expenses.
48. Defendants' act and omissions may also cause the plaintiffs to be denied admission and/or attendance at the college of their choice.

WHEREFORE, plaintiffs respectfully pray that this Honorable Court enter judgment in their favor for statutory damages, costs and reasonable attorney's fees as authorized by statute.

### **COUNT III-INVASION OF PRIVACY**

49. Plaintiffs reallege their allegation in paragraphs 1-35 as her allegations for this count and said allegations are incorporated by reference.
50. At all times relevant to this complaint, defendants had a duty to keep any comments made by plaintiffs private in part, because they are students and in part because they are minors.

51. Similarly, defendants had a duty not to disclose plaintiffs' names and/or identities to the public.
52. In direct violation of said duties, defendants posted plaintiffs' Kairos based private comments and plaintiffs' full names on the Marist Face Book Page Marist Twitter Account and Principal Tucker's Twitter page.
53. There was no parental consent and plaintiffs did not consent to allow the use of their names on their Official Facebook Page and Twitter Account and Larry Tucker's Twitter Page.
54. As a direct and proximate cause of defendants' acts, plaintiffs have suffered the following injuries:
- a. Plaintiffs' reputations have been severely damaged;
  - b. Plaintiffs has suffered severe emotional distress;
  - c. Plaintiffs have been held up to public criticism and scorn by being portrayed as racists (a series of Twitter comments is attached as group exhibit D).

WHEREFORE, plaintiffs respectfully pray that this Honorable Court enter judgment in their favor against all defendants, jointly and severally of an amount in excess \$1,000,000.00 each plus costs.

Respectfully submitted,

By: 

Steven E. Glink

Law Offices of Steven E. Glink' 16602  
Attorney for Plaintiff  
3338 Commercial Avenue  
Northbrook, Illinois 60062  
847/480-7749 (voice)  
847/480-9501 (facsimile)



Goose

@dangoose80



PSA: The leader of GD has put out an order to kill all white kids seen in Mount Greenwood, this is NOT a joke so stay inside

11/6/16, 1:16 PM from Chicago, IL

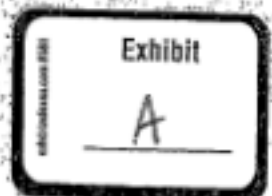
1 RETWEET 1 LIKE



T M th 6<sup>6</sup> @T M th20 · 1m



@dangoose80 thanks for the public service announcements I thought it WAS a joke





# Marist High School Chicago

@maristchicago

Home

About

Photos

Lives

Videos

Events

Posts

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**[Profile Picture]** **[Name]** There was more to the text than the words that were chosen by another to publicize, which dramatically changes the message. Poor language selection, yes. Grounds for expulsion? Hopefully not. There can be strong consequences to behavior that do not involve expulsion. Freedom of speech is a protected right of our constitution. It protects our right to use certain offensive words and phrases to convey a political message. (Cohen v. California, 403 U.S. 15 (1971)) Marist as a private institution may have the ability to override such freedoms (not sure if that's true), but I do NOT believe it is their intent to use their power to disregard our constitution or squelch open debate. Marist leadership is in a tough position. Whatever decision Marist makes is bound to be fraught with criticism. May God be with them as they navigate these waters. Let their decision be in the best interest of all involved. You may not like her words, but she has the right to say them.

Like · Reply · 5 · November 7 at 4:09pm · Edited

**[Profile Picture]** **[Name]** You are part of the problem. Smh 2016 and we are still excusing racism. Shameful

Like · Reply · 17 · November 7 at 3:10pm

**[Profile Picture]** **[Name]** Racists like [Name] are the reason why black people had to sit in the back of the bus during the 60s in the first place please.

Like · Reply · 10 · November 7 at 3:21pm · Edited

**[Profile Picture]** **[Name]** School has stated discipline will take place. I'm only attempting to point out that expulsion may not be the only answer.

Like · Reply · 2 · November 7 at 4:10pm

**[Profile Picture]** **[Name]** I love you

Like · Reply · November 7 at 7:12pm

**[Profile Picture]** **[Name]** You're forgetting that this was posted in a Kairoa group chat that black students were also apart of, so this really was not said in private.

Like · Reply · 2 · November 7 at 8:48pm

**[Profile Picture]** **[Name]** Because black students are included makes it not private? Keep making excuses and spin it in your favor. A black student made a racist tweet on twitter but is still on the school. Explain that!

Like · Reply · 2 · November 8 at 8:59am

**[Profile Picture]** **[Name]** Yes I agree

Like · Reply · November 10 at 8:49am

Write a reply...

**[Profile Picture]** **[Name]** My younger sister attends Marist and if she had been a part of this I would absolutely support and understand expulsion. These girls know better.

Like · Reply · 18 · November 7 at 4:56pm

**[Profile Picture]** **[Name]** After reading the comments mostly from people with European decent, who attends/attended Marist about "Freedom of Speech" just lets me know I can save 30% because the catholic school education system have failed their kids miserably, more than the CPS!

Like · Reply · 8 · November 7 at 8:23pm

4 Replies

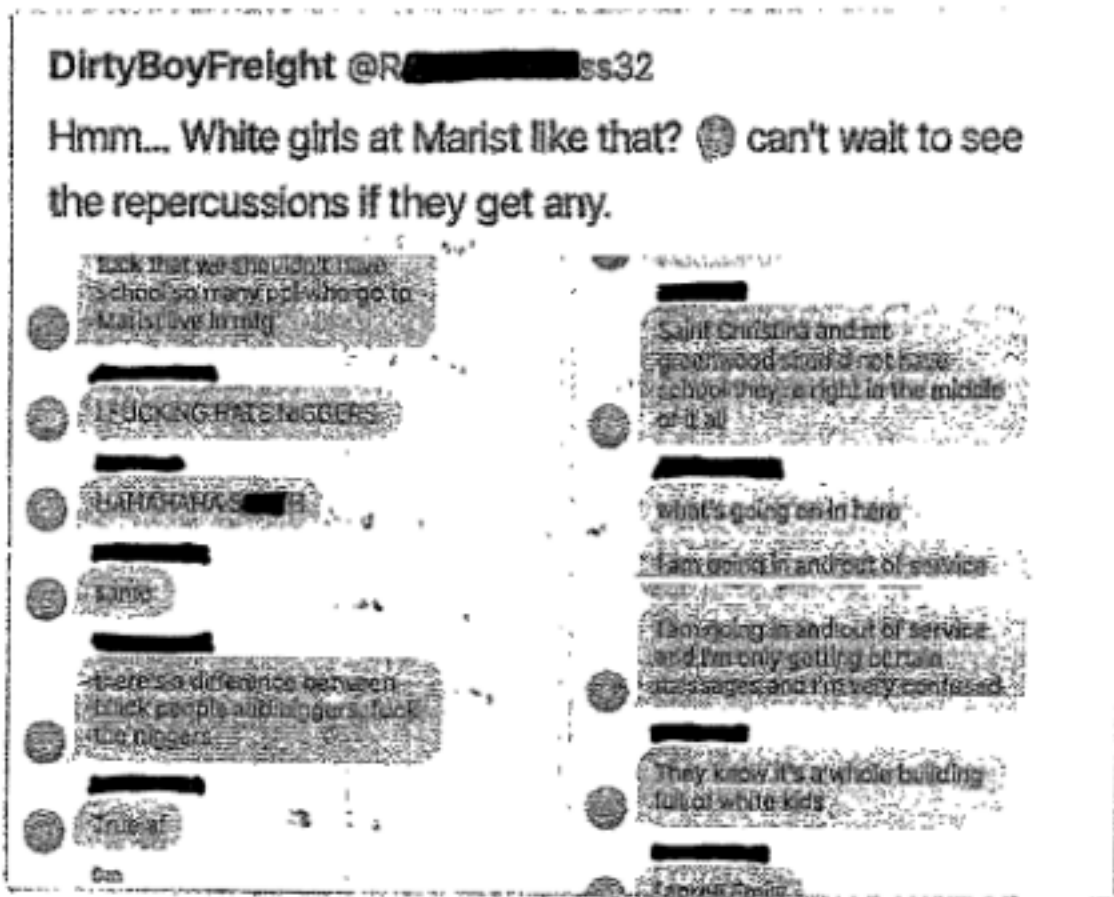
**[Profile Picture]** **[Name]** As someone who attended Marist HS in the early 90's I can attest to the fact that nothing has changed. Yet again, I am disappointed to hear of something like this coming from an institution that supposedly

Exhibit  
B



H...s, M...n @m...s 11/7/16

This a text thread from white students at @MaristChicago and this is sad.



Retweets: 2, Likes: 4



EX...a @V... 11/7/16

@MrTuckerMHS @MaristChicago this is probably the only time it's being recognized but this is being done everyday in those halls.

Retweets: 0, Likes: 1



WORTHY @K...y 11/7/16

@A...r\_ @R...s32 @MaristChicago @J...G...n correction my lil brother's friend is in the chat. Ain't livin get off my dick

Tweets All Tweets



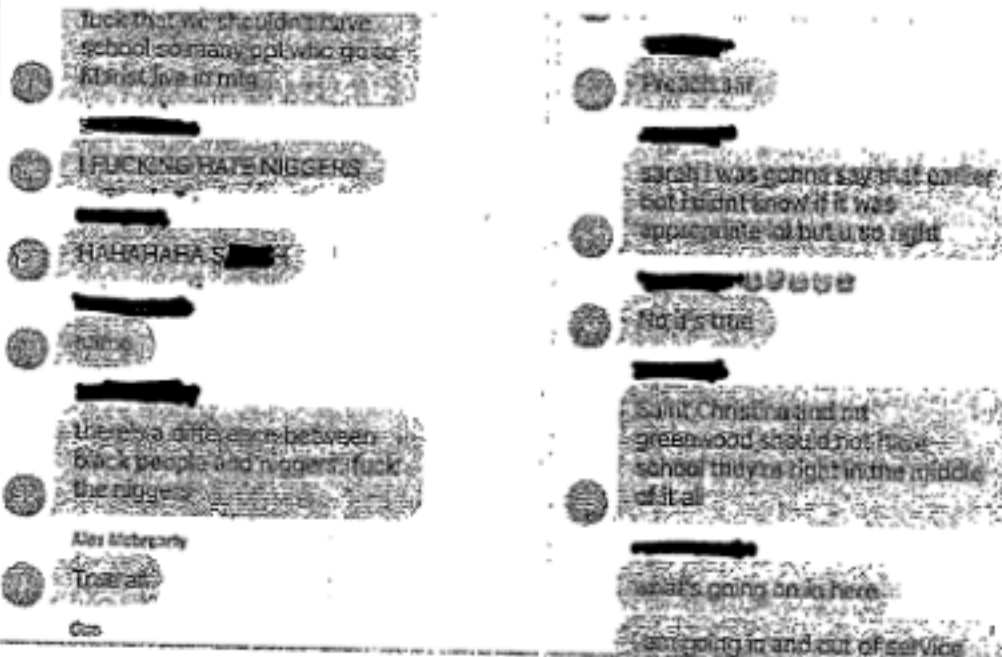
John P. @Scream13 · 11/8/16

great to see my alma mater in the news, and just an FYI Marist is technically in chicago

Shawn King @S...g

Marist High School outside of Chicago confirms its students sent these texts & says they've been disciplined.

dnainfo.com/chicago/201611...



Retweet Like Reply



Catholic Conference IL @CatholicConfIL · 11/8/16

@ArchbishopBlase on racially-charged social media post at @MaristChicago: bit.ly/2fC5u01

Retweet Like Reply

G... G... follows



Shawn King @S...g · 11/8/16

Marist High School outside of Chicago confirms its students





Just don't go by mtg

G [redacted] M [redacted] h

N [redacted] S [redacted]

Pass this along...It was from a teacher I used to work with. She lives in Beverly.

"The judge on our block just told us that he got an alert that the gangster disciples put out an order to kill white kids from mt greenwood."

Sc-p [redacted] y N [redacted]

This is nuts

Be safe

Lock your doors, bolt your windows...frickin ridiculous!



November 10, 2016

Dear Parents,

This has been a challenging week at Marist, and we know that our students, parents, faculty, and alumni have been deeply affected by the events that have unfolded.

Making disciplinary decisions is the least enviable responsibility of a school administrator. Every decision has those who agree or disagree. And each case involves a variety of factors. While we do not typically share disciplinary decisions, this situation has compelled us to communicate some outcomes. The administration has decided that the students involved in this event will not be in attendance at Marist.

For more than fifty years, Marist has built a reputation of spiritual strength, academic excellence, co-curricular success, and personal growth. And while we are a wonderful community, it is important to revisit the climate and culture to ensure we truly embody who we say we are.

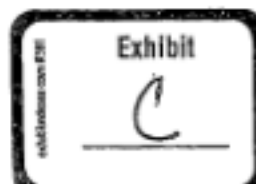
To that end, we have already been in contact with a number of consultants who are experts in the area of diversity awareness, education, and training. It is our plan to have them help our community learn and grow from this event. Additionally, we will continue to have our guidance counselors available to students who need to digest this event and discuss their feelings and experiences. We will also continue our ongoing dialogue with students about how to help each member of the community feel engaged and welcomed. Other programming that was already in the works will add to these efforts in helping students and adults identify the values that define them and how to live them out. At a future date, we will also offer the opportunity to parents to meet and share their perspectives on this important topic.

Through the long term work we are committed to doing as a school, Marist will emerge from this as a better, more loving, Catholic community. We ask for your support and prayers as we move forward.

Gratefully,

Brother Hank Hammer  
President

Mr. Larry Tucker  
Principal



## D. Student Behavior

Since Marist students are expected to show Christian consideration and concern for all in the school community, the code of conduct is intended to provide the students, their parents/guardians, and the faculty an understanding of the behavior patterns expected of students and the procedures used in maintaining that standard of conduct. In light of this, any misconduct on the part of the student, such as: disrespect or discourtesy towards school personnel, visitors, or other students; immature and inappropriate conduct; vulgarity; classroom disruption; leaving the school campus; littering the school building and grounds; inappropriate behavior in the study hall, ARC, Cafetorium, or corridors; and any other behavior warranting disciplinary action will not be tolerated. Depending on the severity of inappropriate behavior, Marist High School reserves the right to expel or ask for parental withdrawal without a Disciplinary Review.

### 1. Severe Disciplinary Cases

The following behavior may result in immediate suspension and possible expulsion from school: possession or drinking of alcoholic beverages; possession, use, sale or distribution of drugs, drug paraphernalia or alcohol; possession or use of a weapon or any replica of a weapon; defiance of faculty authority; intent to do bodily harm; theft; fighting; hate crimes; setting false alarms; bomb threats; inciting mob action; extortion; gambling; intimidation; harassment; inappropriate sexual conduct; cyber-bullying; damaging school property; vandalism; unauthorized possession and/or use of school forms; and unauthorized use of computers, the internet, radios, tape recorders, sound equipment or cameras without proper authorization.

- Marist High School reserves the right to request a breathalyzer test of any student suspected of being under the influence of alcohol. A student who refuses to take a breathalyzer test is presumed to be under the influence of alcohol, and appropriate measures will be taken.
- Marist High School regards any type of disruption to the educational environment as completely unacceptable. Severe disciplinary measures including parental withdrawal and expulsion may be the result of any student related or senior pranks. Any students involved in this type of behavior will be subject to the loss of all school privileges and the possibility of expulsion and parental withdrawal.

**NOTE:** The Administration of Marist High School reserves the right to deny credit for class work in cases involving suspensions.

### 2. Discipline Procedures

Disciplinary problems may be handled through one of the procedures listed below:

#### a. Student/Teacher Conference

When a student's behavior becomes a problem in school, the teacher/supervisor will point out the problem in behavior, the change which is expected of the student, and the procedure that will be followed if the student's behavior does not improve.

#### b. Detention/Referral to Dean of Students

The student will be given detention and/or referred to the Dean of Students. Any student asked to leave class is to report immediately to the dean's office and will not be permitted back into class on that day. The student will receive a three hour detention. The second time a student is asked to leave class, the parents may be notified.

##### (1) Informal Detention

A teacher may have a student report to him/her at the teacher's convenience for correction of misconduct. If a student fails to show up for an informal detention, the student will not be allowed back into class the following day unless there is a logical explanation for the failure to be present.

##### (2) Formal Detention

Formal detention is conducted Monday through Friday from 2:30 p.m. to 3:10 p.m. and from 7:00 a.m. to 7:40 a.m. Detention may be a mandatory study hall where students must bring academic materials to the detention room and be actively working on academics during the detention. Detention may also be work/service to the school. The teacher presents to the student a detention slip which states the reason for the detention. The students have the option of serving the detention the day it is received or within the next five (5) school days. Parents may be contacted after the second missed detention. Saturday detentions are held at the discretion of the Dean's office. Students must report to the Dean of Students for special considerations.

After school employment and/or extracurricular activities are not sufficient reason for missing detention.

#### c. Suspension

Suspension may be imposed by the Dean of Students. Suspensions result in the loss of school privileges and school-related activities on the day, night or weekend of the suspension. All suspensions are external or out of school.

An out of school suspension is a suspension in which the student is put in the care of the parent during the suspension period. A conference with the student and his or her parents/guardian(s) may be a condition for re-admission after suspension. Additionally, a student will serve 12 hours of detention on consecutive days in conjunction with the detention.

A suspended student is personally responsible for assignments and to learn the subject matter covered in his or her classes during the suspension from class. The suspended student receives a discretionary failing grade on any homework, quizzes and assessments that were missed as a result of the suspension.

#### d. Disciplinary Review

When the Dean of Students has determined that sufficient grounds exist, a Disciplinary Review may be conducted. The Dean of Students and/or the Principal will conduct the review. They will meet with the student and his or her parents/guardians normally within five school days after notification of all parties concerned. The student will remain out of school until the case is reviewed and a decision is made. All appeals should be directed to the office of the Principal.

##### (1) Disciplinary Probation

Disciplinary Probation may be imposed by the Dean of Students, with the approval of the Principal, when a student has seriously and/or continually violated existing school rules and regulations. **The length of the discretionary probation period is left to the discretion of the Dean of Students.**

When a student has been given a disciplinary probation notice, he or she must keep in mind that another serious breach of the disciplinary code or a series of minor offenses will lead to more severe disciplinary action and that all offenses against the disciplinary code are viewed more seriously. Disciplinary probation is in addition to any other punishment imposed by the administration, such as, detention, suspension, etc. The Dean of Students decides whether a student on disciplinary probation may participate in school sponsored trips, proms or other activities.

##### (2) Parental Withdrawal

In the case of a parental withdrawal, the Administration of Marist High School requests that the parent withdraw the student from Marist in order to avoid stated expulsion on an official transcript. **All outstanding bills at Marist High School must be paid before transcripts can be sent.**

##### (3) Expulsion

Any student who has seriously damaged the reputation of the school and/or whose conduct indicates that he or she seriously disturbs the physical or moral welfare of the student body could be expelled.

##### (4) Appeals

All appeals related to parental withdrawal or expulsion are handled by the Principal's office. Appeals will be granted at the discretion of the Principal.

#### 3. Alcohol and Substance Abuse Policy

The following action will be taken with students who consume, distribute or are under the influence of alcoholic beverages and/or any controlled substance in school, prior to, or during any school function: The parents/guardians will be informed immediately by telephone and the student will be removed from the premises and suspended out of school until disciplinary consequences have been decided. Marist High School reserves the right to request a breathalyzer test or drug test of any student suspected of being under the influence of alcohol or drugs at any time. The drug testing will be performed outside the procedures of the mandatory drug testing program.

#### E. Dress Code

Marist High School as a private, Catholic college preparatory school offering an academic program of studies, maintains a formal dress code in keeping with its definition and character. The formal dress code contributes to a seriousness of purpose and to a positive learning atmosphere. **The school expects the full support of parents and guardians in implementing all aspects of the dress code.**

Students are to be in complete compliance with the dress code from the beginning of the school day until its conclusion. The school dress code is also in effect during semester exams and field trips.

##### Girls Dress Code

###### 1. Shoes

The following shoes are the **ONLY** shoes that girls may wear to school: Doc Martens - Style #1461 and #8065 (black only); Skechers - Style #45120; Eastland Falmouth (any shade of brown); Sperry Authentic Original (Sahara only). No other shoe will be permitted. Please visit the school's website for additional information regarding the purchasing of shoes.

Students may not smash down the backs of their shoes. Socks or tights are to be worn at all times. Only solid color dress socks or tights, in black, red or white may be worn.

**NOTE: A doctor's note must be presented to the school nurse and is necessary for the wearing of any alternative footwear for health reasons.**

###### 2. Skirts

Skirts are to be worn each day. Marist uniform dress skirts must be purchased through Schoolbelles. The length of the skirt should be no higher than one inch above the top of the knee. All skirts must be buttoned and zipped. Skirt rolling is not permitted. The Marist uniform skirts are not to be ripped, torn or frayed.

- **Freshmen and Sophomores** must purchase and wear only the **Khaki** kilt-style dress skirt.
- **Juniors and Seniors** must purchase and wear only the **Black** kilt-style dress skirt.

**NOTE: The Administration reserves the right to request the purchase of new skirts if they do not fit appropriately. An adequate amount of time will be allotted for the new purchase.**



Tweet



J. M. [redacted]  
@J[redacted]die\_ha

@MaristChicago Nice tweet by your senior football star. What was his discipline? Hopefully the girls get the same.



Reply to J. M. [redacted] Marist HS Chicago

Home

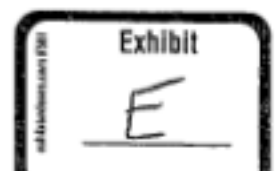
Notifications


Moments

Messages

Me

Sent from my iPhone




  
fuck that we shouldn't have school so many ppl who go to Marist live in mtg

  
I FUCKING HATE NIGGERS

  
HAHAHAHA SH

  
same

  
there's a difference between black people and niggers. fuck the niggers

  
True af

G

 M I S k and 29 others

12 Comm

 Like

 Comment

 Share

Exhibit

F

Dear Parent(s):

We are reaching out to follow up with parents and students about the social media incident involving Marist students. We are appreciative of the students, parents, and alumni who have reached out to voice their concerns and prayers.

The language and spirit of the post contradict the Marist mission and we are devastated by this incident. We are, therefore, working through this issue on the disciplinary side while making efforts to respond to the needs of all of our students.

Marist is a family, and like any family, we are facing a challenging situation. We are confident that by acting on our core Christian values we can ensure that Marist continues to grow more fully into a community that welcomes and supports all.

Earlier this fall, our guidance office rolled out a school wide program entitled "What Do You Stand For?" to inspire and challenge students to think about the values they believe in and how they live them out. This initiative takes on heightened importance now, and will include programming for students, faculty, and parents that will help promote integrity, resourcefulness, compassion, and resilience. Additionally, a series of meetings with diverse student leaders continue to take place to help ensure all students feel valued and heard. Ideas for events and awareness initiatives have stemmed from these meetings, with students taking ownership of the related projects.

We are committed to working through this as a community. To that end Marist has:

- met with a diverse group of student leaders today, November 7, for a meaningful dialogue about this situation and its effect on the Marist community
- scheduled a late start for Tuesday, November 8, to hold a faculty meeting
- planned an all-school assembly for Tuesday
- increased security on campus for this week

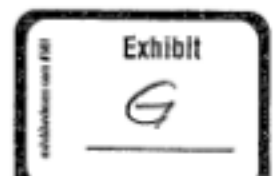
We are committed to being a welcoming Catholic school community, and will seek out the needed resources for awareness education, professional development, and related events to make every effort to ensure this is experienced by all.

We thank you for your continued trust in us to educate your children in the Marist tradition. Please keep our community in your prayers, and know that you are in ours.

Sincerely,

Principal Larry Tucker

President Hank Hammer



CERTIFICATION

I, John Doe, having been duly sworn on oath, and subject to the penalties of perjury provided by law, do solemnly swear or affirm that I have read the foregoing Verified Complaint and the Emergency Motion for a Temporary Restraining Order and state that, to the best of my knowledge, the information contained therein is true and correct..

*John Doe*

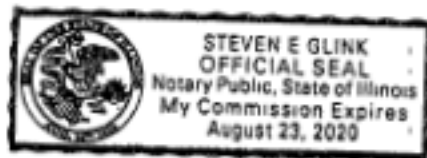
\_\_\_\_\_  
John Doe

Signed and sworn before me this 28<sup>th</sup>

Day of November, 2016.

*SA E. Glink*

\_\_\_\_\_  
Notary Public





CERTIFICATION

I, John Roe, having been duly sworn on oath, and subject to the penalties of perjury provided by law, do solemnly swear or affirm that I have read the foregoing Verified Complaint and the Emergency Motion for a Temporary Restraining Order and state that, to the best of my knowledge, the information contained therein is true and correct..

*John Roe*

John Roe

Signed and sworn before me this 28<sup>th</sup>

Day of November, 2016.

*BA S. Glink*

Notary Public

