

WINTHROP HARBOR PUBLIC SCHOOLS

DISTRICT NUMBER ONE



School Board Policy Manual

Submitted by Dennis Guiser, Superintendent

School District Organization

School District Legal Status

The Illinois Constitution requires the State to provide for an efficient system of high quality public educational institutions and services in order to achieve the educational development of all persons to the limits of their capabilities.

The General Assembly has implemented this mandate through the creation of school districts. The District is governed by the laws for school districts having a population of not fewer than 1,000 and not more than 500,000.

The Winthrop Harbor School Board constitutes a body corporate that possesses all the usual powers of a corporation for public purposes, and in that name may sue and be sued, purchase, hold and sell personal property and real estate, and enter into such obligations as are authorized by law.

LEGAL REF.: Ill. Constitution, Art. X, Sec. 1.
105 ILCS 5/10-1 et seq.

CROSS REF.: 2:10 (School District Governance), 2:20 (Powers and Duties of the School Board)

School District Organization

District Organization, Operations, and Cooperative Agreements

The Winthrop Harbor School District No. 1, Lake County, Illinois, is responsible for public education, grades Kindergarten through 8th, and operates the following attendance centers:

Westfield School	K - 4
North Prairie Jr. High	5 - 8

The District participates in the following joint programs and associations:

- Illinois Association of School Boards (IASB)
- Illinois Elementary School Association (IESA)
- Special Education District of Lake County (SEDOL)
- Winthrop Harbor Athletic Association (WHAA)

LEGAL REF.: 23 Ill. Admin. Code 1.210

School District Organization

Administrative Procedure – Checklist for Handling Intergovernmental Agreement Requests

The Superintendent completes this checklist whenever the District receives a request to enter into an intergovernmental agreement.

- Acknowledge the receipt of the request to the sender.
- Confer with the Board President as to when to put the request on an open meeting agenda.
- Inform the request's sender approximately when the request will be presented to the Board.
- Collect information about the request, including the factual context, and determine the impact of granting or not granting the request considering that the District gives priority in the allocation of resources, including funds, time, personnel, and facilities, to the transmission of knowledge and culture through which students learn in areas necessary to their continuing development and entry into the world of work.
- Prepare an evaluation of the request and a recommendation.
- Include the evaluation and recommendation in the appropriate Board meeting packet.
- Prepare a written response informing the requestor of the Board's decision.
- If the request is granted, amend the joint agreement section of Board Policy Manual to include the new intergovernmental agreement.

School District Organization

School District Philosophy

It is the philosophy of School District No. 1 that we will create the atmosphere necessary for the total growth and development of the young people in the district. It is our goal to provide programs and opportunities that will allow all students to meet their individual needs, and which will make best use of their individual abilities. The total school program must be a cooperative effort involving the Board of Education, staff, parents, students, and community. The School District, in an active partnership with parents and community, will promote excellence in a caring environment in which all students learn and grow. This partnership shall empower all students to develop a strong self-esteem and to become responsible learners and decision-makers.

We recognize that:

- It is the responsibility of the school board to provide quality leadership and direction in the development of a sound educational program. The Board is committed to developing and using a visionary and innovative curriculum and a knowledgeable and dedicated staff.
- It is the responsibility of the staff to treat students with individual respect and teach the skills needed for them to become an educated, well rounded, responsible individual.
- It is the responsibility of the parents to be actively involved and supportive of the education of their children.
- It is the responsibility of the students to treat the staff and their classmates with respect and to take full advantage of the educational opportunities offered them.
- It is the responsibility of the community to actively support this commitment to quality education.
- It is the responsibility of all the education partners to help students develop strong moral values, a sense of responsibility for themselves and others, and a respect for the United States of America.

CROSS REF: 6:10 (Educational Philosophy and Objectives)

School District Organization

Statement of Objectives

Realizing that the final success of the educational program is measured in terms of the accomplishments of individual students, the Winthrop Harbor School District No. 1 has the following instructional objectives for all of its students:

- To foster in the students self-discovery, self-awareness, and self-discipline, enabling them to realize their worth as a human being and to formulate a personal set of values and goals.
- To develop a positive attitude toward and practice of those disciplines which will produce a healthy mind and body.
- To develop an awareness of present and past cultures and civilizations, acquainting students with the variations in mankind's cultural patterns and with the evolution of their natural and cultural heritage.
- To stimulate intellectual curiosity, guiding students to learn how to seek further knowledge through familiarization with the resources and challenges of the world around them.
- To provide fundamental career concepts and skills, developing in the student a foundation for further career training.
- To direct students in becoming proficient in the art of verbal and nonverbal communication.
- To encourage an appreciation of beauty and to assist the student in developing a capacity for aesthetic perception, creation, and judgment.
- To encourage students to discover and build from their individual strengths and develop an awareness of the value of striving toward excellence and mastery of skills.
- To help students learn to deal effectively with other people, encouraging in them sensitivity to the needs and values of others and a respect for individual differences.
- To develop social and personal responsibility, involving students in decision-making processes and problem-solving activities as they work toward constructive change.
- To help students recognize the basic laws that explain the behavior of the universe and to help them use these laws to predict natural phenomena and to develop an appreciation for the environment.
- To help students realize their relationship to their fellow human beings by learning about the rule of law and how to live in harmony with others in a world community.
- To develop an understanding of consumer education concepts and economic principles for the purpose of achieving, within the framework of the student's own values, maximum utilization of, and satisfaction from, one's own resources.
- To equip students with the technology skills necessary to successfully navigate high school, the workplace, and post secondary institutions of learning.

School Board

School District Governance

The Winthrop Harbor School District No. 1 is governed by a Board of Education consisting of 7 members. The Board's powers and duties include the broad authority to adopt, enforce, and monitor all policies for the management and government of the District's schools.

Official action by the Board may only occur at a duly called and legally conducted meeting at which a quorum is physically present.

School Board members, as individuals, have no authority over school affairs, except as provided by law or as authorized by the Board.

LEGAL REF.: 5 ILCS 120/1.01.
 105 ILCS 5/10-1, 5/10-10, and 5/10-20.5.

CROSS REF.: 1:10 (School District Legal Status)

School Board

Powers and Duties of the School Board; Indemnification

The major powers and duties of the Winthrop Harbor School Board include, but are not limited to:

1. Organizing the Board after each consolidated election by electing officers and establishing its regular meeting schedule and, thereafter, taking action during lawfully called meetings to faithfully fulfill the Board's responsibilities in accordance with State and federal law.¹
2. Formulating, adopting, and modifying School Board policies, at its sole discretion, subject only to mandatory collective bargaining agreements and State and federal law.²
3. Employing a Superintendent and other personnel, making employment decisions, dismissing personnel, and establishing an equal employment opportunity policy that prohibits unlawful discrimination.³
4. Directing, through policy, the Superintendent, in his or her charge of the District's administration.⁴
5. Approving the annual budget, tax levies, major expenditures, payment of obligations, annual audit, and other aspects of the District's financial operation; and making available a statement of financial affairs as provided in State law.⁵
6. Entering contracts using the public bidding procedure when required;⁶

¹ State law controls this policy's content. School board powers listed in the School Code are not exclusive, meaning that a board may exercise "all other powers not inconsistent with this Act that may be requisite or proper for the maintenance, operation, and development of any school or schools under the jurisdiction of the board," (105 ILCS 5/10-20). This policy's intent is to list the major statutory powers and duties – not all of them. See also 105 ILCS 5/10-20.5 and 5/10-21.

For power/duty #1, see 105 ILCS 5/10-16 and 5/10-16.5; and policies 2:80, *Board Member Oath and Conduct*, and 2:210, *Organizational School Board Meeting*. Boards that elect officers for 1-year terms and/or hold organizational meetings yearly, should use the following rather than the default text:

Annually organizing the Board by electing officers and establishing its regular meeting schedule and, thereafter, taking action during lawfully called meetings to faithfully fulfill the Board's responsibilities in accordance with Board policy and State and federal law.

² 105 ILCS 5/10-20.5 and policy 2:240, Board Policy Development. 5/10-21.and 115 ILCS 5/1 et seq. (Illinois Educational Labor Relations Act).

³ 105 ILCS 5/10-21.4 (employing superintendent); 5/10-20.7, 5/10-21.1, and 5/10-22.34 (employing teachers and other staff); 5/10-22.4 (dismissing teachers for cause); and 5/10-23.5 and 5/24-12 (reduction in force); and 5/10-21.9 (criminal history records checks). See the policies in the PRESS Policy Reference Manual sections 3 and 5.

⁴ 105 ILCS 5/10-16.7.

⁵ 105 ILCS 5/10-20.1917, 5/10-20. 19 and 5/17-1 et seq. See policies in the PRESS Policy Reference Manual Section 4, Operational Services.

⁶ 105 ILCS 5/10-20.21. See policy 4:60.

7. Indemnifying, protecting, and insuring against any loss or liability of the School District, Board members, employees, and agents as provided or authorized by State law. **7**
8. Providing, constructing, controlling, and maintaining adequate physical facilities; making school buildings available for use as civil defense shelters; and establishing a resource conservation policy. **8**
9. Establishing an equal educational opportunities policy that prohibits unlawful discrimination. **9**
10. Approving the curriculum, textbooks, and educational services; **10**
11. Evaluating the educational program and approving School Improvement and District Improvement Plans; **11**
12. Presenting the District report card and School report card(s) to parents/guardians and community, these documents report District, School and student performance. **12**
13. Establishing and supporting student discipline policies designed to maintain an environment conducive to learning, including deciding individual student suspension or expulsion cases brought before it. **13**
14. Establishing attendance centers within the District and assigning students to the schools; **14**
15. Establishing the school year; **15**
16. Requiring a moment of silence to recognize veterans during any type of school event held at a District school on November 11. **16**
17. Providing student transportation services pursuant to State law. **17**

7 105 ILCS 5/10-20.20 (duty to indemnify) and 5/10-22.3 (duty to insure against loss or liability). The statutes identify the same individuals for protection except that the indemnification statute includes mentors of new certified staff members. See policy 4:100, *Insurance Management*.

8 For the first clause, see 105 ILCS 5/10-20.6, 5/10-20.12, 5/10-22.10, 5/10-22.35A, and 5/10-22.36; and policy 4:150, Facility Management and Building Programs. For the second clause, see 105 ILCS 5/10-22.35. For the third clause, see 105 ILCS 5/10-20.19c; and policy 4:70, *Resource Conservation*.

9 Many civil rights laws guarantee equal educational opportunities; see policy 7:10, *Equal Educational Opportunities*.

10 105 ILCS 5/10-20.8. See policies in section 6.

11 105 ILCS 5/2-3.25d and 105 ILCS 5/27-1. See policies 6:10 and 6:15.

12 105 ILCS 5/10-17a. This statute details the requirements for presenting the district report card and school report card(s), including presenting them at a regular school board meeting and posting them on the district's website.

13 105 ILCS 5/10-22.6. See policies 7:190, 7:200, and 7:210.

14 105 ILCS 5/10-21.3 and 5/10-22.5. See policy 7:30.

15 105 ILCS 5/10-19 and 23 Ill. Admin. Code § 1.420. See policies 6:20.

16 Recognizing veterans on Nov. 11 is required by 105 ILCS 5/10-20.46, added by P.A. 96-84.

17 105 ILCS 5/10-22.22. See policy 4:110.

18. Entering into joint agreements with other School Boards to establish cooperative educational programs or provide educational facilities; **18**
19. Complying with requirements in the Abused and Neglected Child Reporting Act. Specifically, each individual Board member must, if an allegation is raised to the member during an open or closed Board meeting that a student is an abused child as defined in the Act, direct or cause the Board to direct the Superintendent or other equivalent school administrator to comply with the Act's requirements concerning the reporting of child abuse. **19**
20. Communicating the schools' activities and operations to the community and representing the needs and desires of the community in educational matters. **20**

Indemnification

To the extent allowed by law, the Board shall defend, indemnify, and hold harmless School Board members, employees, volunteer personnel (pursuant to 105 ILCS 5/10-22.34, 10-22.34a and 10-22.34b), mentors of certified staff (pursuant to 105 ILCS 5/2-3.53a, 2-3.53b, and 105 ILCS 5/21A-5 et. seq.), and student teachers who, in the course of discharging their official duties imposed or authorized by law, are sued as parties in a legal proceeding. Nothing herein, however, shall be construed as obligating the Board to defend, indemnify, or hold harmless any person who engages in criminal activity, official misconduct, fraud, intentional or willful and wanton misconduct, or acts beyond the authority properly vested in the individual. **21**

LEGAL REF.: 105 ILCS 5/2-3.25d, 5/10, 5/17-1, and 5/27-1.
115 ILCS 5/
325 ILCS 5/4.

CROSS REF.: 1:10 (School District Legal Status), 1:20 (District Organization, Operations, and Cooperative Agreements), 2:10 (School District Governance), 2:80 (Board Member Oath and Conduct), 2:140 (Communications To and From the Board), 2:240 (Board Policy Development), 4:60 (Purchases and Contracts), 4:70 (Resource Conservation), 4:100 (Insurance Management), 4:110 (Transportation), 4:150 (Facility Management and Building Programs),

18 105 ILCS 5/10-22.31a. See policy 1:20.

19 325 ILCS 5/4. *Abuse* and *neglect* are defined in 325 ILCS 5/3; for a disabled adult student see 20 ILCS1305/1-17(b).

20 See policy 8:10, *Connection with the Community*

21 105 ILCS 5/10-20.20 (duty to indemnify) and 5/10-22.3 (duty to insure against loss or liability). These statutes identify the same individuals for protection except that the indemnification statute includes mentors of certified staff members. See policy 4:100, Insurance Management.

Public officials or employees who are sued or incur loss because of the performance of their duties imposed or authorized by law on behalf of the public entity are entitled to indemnification. McQuillan on Municipal Corporations §12.137 (3rd ed.). Public employees who must defend themselves in actions based upon the performance of official duties are entitled to indemnification. *Wayne Twsp Bd of Auditors v. Ludwig*, 507 N.E.2d 199 (Ill. App. 2d, 1987). The public's interest is served by indemnifying public officials and employees in the performance of their official duties in order to recruit and retain qualified public employees and officials

5:10 (Equal Employment Opportunity and Minority Recruitment), 5:90 (Abused and Neglected Child Reporting), 6:10 (Educational Philosophy and Objectives), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment and Intra-District Transfer), 7:190 (Student Discipline), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on School Property)

School Board

Exhibit - Waiver and Modification Request Process

Actor	Action
Superintendent or designee	<p>Develops a plan supporting a waiver or modification request that meets the criteria contained in 105 ILCS 5/2-3.25g, as amended by P.A. 95-223.</p> <p>An approved waiver or modification (except a waiver from or modification to a physical education mandate) may: (a) remain in effect for 5 school years and may be renewed upon a new application, and (b) be changed within that 5-year period by the Board using the procedure for an initial waiver or modification request.</p> <p>An approved waiver from or modification to a physical education mandate may: (a) remain in effect for 2 school years and may be renewed no more than 2 times, and (b) be changed within the 2-year period by the Board using the procedure for the initial waiver or modification request.</p> <p>Based on the plan, completes ISBE's preliminary application form.</p> <p>Districts may petition ISBE for a waiver or modification of the mandates in <u>The School Code</u> or ISBE administrative rules.</p> <p>For a waiver or modification of administrative rules or modification of <u>Code</u> mandates, the District must demonstrate that: (1) it can address the intent of the rule or mandate in a more effective, efficient, or economical manner, or (2) a waiver or modification of the rule or mandate is necessary to stimulate innovation or improve student performance.</p> <p>For a waiver of mandates in <u>The School Code</u>, a District must demonstrate the waiver is necessary to stimulate innovation or improve student performance. Waivers may not be requested from laws, rules, and regulations pertaining to special education, teacher certification, or teacher tenure and seniority.</p> <p>Identifies a date for a public hearing on the proposed waiver or modification request. If the request concerns a waiver or modification of Section 27-6 of <u>The School Code</u>, (physical education requirements) the public hearing must be held on a day <i>other than</i> on which a regular School Board meeting is held.</p> <p>Publishes notice in a newspaper of general circulation within the District of the date, time, place, and general subject matter of a public hearing on the proposed waiver or modification request.</p>

Actor	Action
	<p>This notice must be published at least 7 days before the hearing.</p> <p>Makes all arrangements for a special meeting if necessary.</p> <p>Notifies in writing all affected exclusive bargaining agents, as well as those State legislators representing the District, of the public hearing on the District's intent to seek a waiver or modification.</p>
School Board	<p>Holds a public hearing in an open meeting on the waiver or modification. Staff directly involved in its implementation, parents, and students must be allowed to testify. The time period for testimony must be separate from the time period set aside for public comment.</p> <p>On the hearing date or in a subsequent open meeting, deliberates on the draft plan and application supporting a waiver or modification request; decides whether to approve the plan and application as amended to include a description of the public hearing.</p> <p>A request for a waiver or modification of ISBE rules or for a modification of a mandate contained in <u>The School Code</u> must include a description of the public hearing.</p> <p>A request for waiver from a mandate contained in <u>The School Code</u> must include a description of the public hearing, including the means of notice, the number of people in attendance, the number of people who spoke as proponents or opponents, a brief description of their comments, and whether there were any written statements submitted.</p> <p>Either attests or authorizes the Superintendent to attest to compliance with all of the notification and procedural requirements.</p>
Superintendent or designee	Within 15 days after approval by the Board, submits the application to ISBE by certified mail, return receipt requested.
ISBE <i>For requests concerning a rule or a modification of <u>The School Code</u></i>	<p>No action is required to approve a requested waiver or modification. Disapproval of a request must occur within 45 days following its receipt.</p> <p>Files a report concerning any District appeal of requests disapproved by ISBE with the Senate and House of Representatives by March 1 and October 1 each year.</p>
School Board <i>For requests concerning a rule or a modification of <u>The</u></i>	To appeal disapproval by ISBE of a request, notifies ISBE that the District is appealing the disapproval to the General Assembly.

Actor	Action
<u>School Code</u>	
ISBE <i>For requests of a waiver from a mandate in <u>The School Code</u></i>	Reviews applications for completeness and files a report with Senate and House of Representatives by March 1 and October 1 each year.
General Assembly	No action is required to approve a waiver or appealed request. Disapproval of a request or appealed request must occur within 60 days after each house of the legislature next convenes after the report is filed by adoption of a resolution by a record vote of the majority of members elected in each house.
School Board	May seek to renew an approved waiver or modification.

School Board

School Board Elections

School District elections are non-partisan, governed by the general election laws of the State, and include the election of School Board members, various public policy propositions, and advisory questions. Board members are elected at the consolidated election held on the first Tuesday in April in odd-numbered years. If, however, that date conflicts with the celebration of Passover, the consolidated election is postponed to the first Tuesday following the last day of Passover. The canvass of votes is conducted by the election authority within 21 days after the election.

1. The Board, by proper resolution, may cause to be placed on the ballot: (a) public policy referendum according to Article 28 of the Election Code, or (b) advisory questions of public policy according to Section 9-1.5 of the School Code.
- 2.

The Board Secretary serves as the local election official. He or she receives petitions for the submission of a public question to referenda and forwards them to the proper election officer and otherwise provides information to the community concerning District elections.

LEGAL REF.: 10 ILCS 5/1-3,5/2A, 5/10-9, 5/22-17, 5/22-18, and 5/28 10 ILCS 5/9 and 5/9-1.5.
105 ILCS 5/9-1 et seq.

CROSS REF.: 2:40 (Board Member Qualifications), 2:50 (Board Member Term of Office), 2:210 (Organizational School Board Meeting)

School Board

Board Member Qualifications

A School Board member must be, on the date of election or appointment, a United States citizen, at least 18 years of age, a resident of Illinois and the District for at least one year immediately preceding election, and a registered voter.

Reasons making an individual ineligible for Board membership include holding an incompatible office and certain types of State or federal employment. A child sex offender, as defined in State law, is ineligible for School Board membership.

LEGAL REF.: Ill. Constitution, Art. 2, ¶ 1; Art 4, ¶ 2(e); Art 6, ¶ 13(b).
105 ILCS 5/10-3 and 5/10-10.

CROSS REF.: 2:30 (School Board Elections), 2:70 (Vacancies on the School Board
– Filing Vacancies)

School Board

Board Member Term of Office

The term of office for a School Board member begins immediately after the following occur:

1. The election authority canvasses the votes and declares the winner(s); this occurs within 21 days after the consolidated election held on the first Tuesday in April in odd-numbered years.
2. The successful candidate takes the oath of office as provided in Board policy 2:80, *Board Member Oath and Conduct*.

The term ends 4 years later when the successor assumes office.

LEGAL REF.: 10 ILCS 5/2A-1.1, 5/22-17, and 5/22-18.
105 ILCS 5/10-10, 5/10-16, and 5/10-16.5.

CROSS REF.: 2:30 (School Board Elections), 2:80 (Board Member Oath and Conduct), 2:210 (Organizational School Board Meeting)

School Board

Board Member Removal from Office

If a majority of the Board determines that a Board member has willfully failed to perform his or her official duties, it may request the Regional Superintendent to remove such member from office.

LEGAL REF.: 105 ILCS 5/3-15.5.

CROSS REF.: 2:70 (Vacancies on School Board – Filling Vacancies)

School Board

Vacancies on School Board - Filling Vacancies

Vacancy

Elective office of a School Board member becomes vacant before the term's expiration when any of the following occurs:

1. Death of the incumbent;
2. Resignation in writing filed with the Secretary of the School Board;
3. Legal disability ,
4. Conviction of a felony, bribery, perjury, or other infamous crime or of any offense involving a violation of official oath or of a violent crime against a child;
5. Removal from office;
6. The decision of a competent tribunal declaring his or her election void;
7. Ceasing to be an inhabitant of the District or a particular area from which he or she was elected, if the residential requirements contained in The School Code are violated;
8. An illegal conflict of interest; or
9. Acceptance of a second public office that is incompatible with School Board membership.

Filling Vacancies

Whenever a vacancy occurs, the remaining members shall notify the Regional Superintendent of Schools of that vacancy within five days after its occurrence and shall fill the vacancy until the next regular school board election, at which election a successor shall be elected to serve the remainder of the unexpired term or less than 88 days before the next regularly scheduled election. However, if the vacancy occurs with less than 868 days remaining in the term, the person so appointed shall serve the remainder of the unexpired term, and no election to fill the vacancy shall be held. Members appointed by the remaining members of the Board to fill vacancies shall meet any residential requirements as specified in The School Code. The Board shall fill the vacancy within 45 days after it occurred by a public vote at a meeting of the Board.

Immediately following a vacancy on the School Board, the Board will publicize it and accept résumés from District residents who are interested in filling the vacancy. After reviewing the applications, the Board may invite prospective candidates for personal interviews to be conducted during duly scheduled closed meetings.

LEGAL REF.: 105 ILCS 5/10-10 and 5/10-11.
CROSS REF.: 2:40 (Board Member Qualifications), 2:60 (Board Member Removal From Office), 2:120 (Board Member Development)

School Board

Exhibit - Checklist for Filling Board Vacancy by Appointment

The School Board fills a vacancy by either appointment or election. The Board uses this checklist for guidance when it must fill a vacancy by appointment. Some items contain guidelines along with explanations. For more information, see *Answers to FAQs Vacancies on the Board of Education*, published by a committee of the Illinois Council of School Attorneys, and available at: www.iasb.com/law/ICSAFAQsonBoardVacancies.pdf.

- Confirm that the Board must fill the vacancy by appointment.**

Guidelines	Explanation
Review Board policy 2:70, <i>Vacancies on the School Board - Filling Vacancies</i> , to determine if a vacancy on the Board occurred and, if so, whether the successor will be selected by election or Board appointment.	Filling a vacancy by Board appointment or election depends upon when the vacancy occurred. If a vacancy occurs with less than: (1) 868 days remaining in the term of office, or (2) 88 days before the next regularly scheduled election for the vacant office, no election to fill the vacancy is held and the appointee serves the remainder of the term. At all other times, an appointee serves until the next regular school election, at which election a successor is elected to serve the remainder of the unexpired term. See 105 ILCS 5/10-10.

- Notify the Regional Superintendent of the vacancy within 5 days of its occurrence (105 ILCS 5/10-10).**
- Develop list of qualifications for appointment of a person to fill vacancy.**

Guidelines	Explanation
At a minimum, the Board uses election qualifications, that is, a candidate must meet the following: <ul style="list-style-type: none"> • Be a United States citizen. • Be at least 18 years of age. • Be a resident of Illinois and the District for at least one year immediately preceding the appointment. • Be a registered voter. • Not be a school trustee. • Not be a child sex offender. 	While <u>The School Code</u> does not expressly set forth eligibility requirements for appointment to a Board vacancy, the Board may want to use the qualifications for elected Board members listed in 105 ILCS 5/10-3 and 5/10-10. For guidance discussing other qualifications that the Board may want to consider, see IASB's <i>Recruiting School Board Candidates</i> , available at: www.iasb.com/elections/recruiting.pdf . For guidance regarding conflict of interest and incompatible offices, See <i>Answers to FAQs, Conflict of Interest and Incompatible Offices</i> , published by the Ill. Council of School Attorneys,

Guidelines	Explanation
<ul style="list-style-type: none"> • Not hold another incompatible public office. • Not have a prohibited interest in any contract with the District. • Not hold certain types of prohibited State or federal employment. 	available at: www.iasb.com/law/conflict.cfm .
<p>When additional qualifications apply, the following items may be included in the Board's list of qualifications:</p> <ul style="list-style-type: none"> • Meet all qualifications based upon the distribution of population among congressional townships in the district. • Meet all qualifications based upon the distribution of population among incorporated and unincorporated areas. 	Board members of some community unit school districts may be subject to historical residential qualifications based on the distribution of population among congressional townships in the district or between the district's incorporated and unincorporated areas (105 ILCS 5/11A-8).

Decide who will receive completed vacancy applications.

Guidelines	Explanation
<p>The Board President will accept applications.</p> <p>The Board will discuss, at an open meeting, its process to review the applications and who will contact applicants for an interview.</p>	<p>Who accepts vacancy applications is at the Board's sole discretion. According to 2:110, <i>Qualifications, Term, and Duties of Board Officers</i>, the Board President is a logical officer to accept the applications, but this task may be delegated to the Secretary or Superintendent's secretary if the Board determines that it is more convenient. Who accepts the applications must be decided prior to posting the vacancy announcement.</p>

Create Board member vacancy announcement.

Guidelines	Explanation
<p>School District _____ Board Member Vacancy</p> <p>School District is accepting applications to fill the vacancy resulting from [reason for vacancy]</p>	<p>The contents of a vacancy announcement, how it is announced, and where it is posted are at the Board's sole discretion.</p> <p>The Board may want to consider announcing the vacancy and its intent to fill it by appointment</p>

Guidelines	Explanation
<p>of [former School Board member's name].</p> <p>The appointment will be from the date of appointment to [date].</p> <p>School District is [School District's philosophy or mission statement].</p>	<p>during its meeting and post it on the District's website and in the local newspaper(s).</p> <p>The length of the appointment depends upon when during the term of office the vacancy occurred. See 105 ILCS 5/10-10 and Board policy 2:70, <i>Vacancies on the School Board - Filling Vacancies</i>, to determine the length of the appointment.</p> <p>See Board policy 1:30, <i>School District Philosophy</i>, for the District's mission statement that is specific to the community's goals.</p>
<p>Applicants for the School Board vacancy must be: [School Board's list of qualifications].</p> <p>Applicants should show familiarity with the Board's policies regarding general duties and responsibilities of a School Board and a School Board member, including fiduciary responsibilities, conflict of interest, ethics and gift ban. The Board's policies are available at [locations].</p> <p>Applications may be obtained at [location and address and/or website] beginning on [date and time].</p> <p>Completed applications may be turned in by [time and date] to [name and title of person receiving applications].</p>	<p>See checklist item titled <i>Develop List of Qualifications for Appointment of a Person to Fill Vacancy</i> above.</p> <p>Listing this along with the Board's list of qualifications assists candidates in understanding a School Board member's duties and responsibilities and may facilitate a better conversation during the interview process. See Board policies: 2:20, <i>Powers and Duties of the School Board</i>; 2:80, <i>Board Member Oath and Conduct</i>; 2:100, <i>Board Member Conflict of Interest</i>; 2:105 <i>Ethics and Gift Ban</i>; and 2:120, <i>Board Member Development</i>.</p> <p>See action item titled <i>Decide who will receive completed vacancy applications</i> above.</p>

- Publicize vacancy announcement including by placing it on the District’s website.**
- Accept and review applications from prospective candidates (see *Decide who will receive completed vacancy applications* above).**
- Contact appropriate applicants for interviews (see *Decide who will receive completed vacancy applications* above).**
- Develop interview questions.**

Guidelines	Explanation
<p>Why do you want to be a Board member?</p> <p>What specific skills would you bring to the Board?</p> <p>Please give specific examples of your ability in interpersonal relationships and teamwork.</p> <p>What do you see as the role of a School Board member?</p> <p>What have you done to prepare yourself for the challenges of being a School Board member?</p> <p>Please describe your previous community or non-profit experiences.</p> <p>What areas in the district would you like to see the Board strengthen?</p> <p>What is your availability to meet the time, training commitments and other responsibilities required for school Board membership?</p> <p>Describe what legacy you would like to leave behind.</p>	<p>Interview questions are at the Board’s sole discretion. This list is not exhaustive, but it may help the Board tailor its questions toward finding a candidate who will approach Board membership with a clear understanding of its demands and expectations along with a constructive attitude toward the challenge.</p> <p>See IASB’s <i>Recruiting School Board Candidates</i>, available at: www.iasb.com/elections/recruiting.pdf.</p> <p>A prospective candidate to fill a vacancy may raise other specific issues that the Board will want to cover during an interview.</p>

- Conduct interviews with candidates (interviews may occur in closed session pursuant to 5 ILCS 120/2(c)(3)).**

Guidelines	Explanation
<p>The Board President will discuss the following items with each candidate during the interview: Introduce Board members to the candidate at the beginning of the</p>	<p>The Board President will lead the Board as it interviews prospective candidates. See Board policy 2:110, <i>Qualifications, Term, and Duties of Board Officers</i>. The president presides at all meetings (105 ILCS 5/10-13).</p>

Guidelines	Explanation
<p>interview.</p> <p>Describe the Board's interview process, selection process, and ask the candidate if he or she has questions about the Board's process for filling a vacancy by appointment.</p> <p>Describe the District's philosophy or mission statement.</p> <p>Describe the vacancy for the candidate by reviewing the: (1) qualifications, and (2) general duties and responsibilities of the Board and the Board members, including fiduciary responsibilities, conflict of interest, ethics and gift ban, and general Board member development.</p> <p>Begin asking the interview questions that the Board developed.</p> <p>Ask the candidate whether he or she has any questions for the Board.</p> <p>Thank the candidate and inform the candidate when the Board expects to make a decision and how the candidate will be contacted regarding the Board's decision.</p>	

- Fill vacancy by a vote during an open meeting of the Board before the 45th day or notify the Regional Superintendent that the vacancy still exists (105 ILCS 5/10-10).**
- Assist the appointed Board member in filing his or her statement of economic interest (5 ILCS 420/4A-105(c)).**
- Announce the appointment to District staff and community.**

Guidelines	Explanation
<p>The announcement should include: The Board appointed [appointee's</p>	<p>The contents of the appointment announcement and length of time it is displayed are at the Board's sole discretion. The Board may want to</p>

Guidelines	Explanation
<p>name] to fill the vacancy on the Board.</p> <p>The appointment will be from [date] to [date].</p> <p>The Board previously established qualifications for the appointee in a careful and thoughtful manner. [Appointee's name] meets these qualifications and has demonstrated the willingness to accept the duties and responsibilities of a School Board member. [Appointee's name] brings a clear understanding of the demands and expectations of being a Board member along with a constructive attitude toward the challenge.</p>	<p>consider announcing the appointment during its meeting and also by posting it in the same places that it posted the vacancy announcement.</p> <p>See Board policy 8:10, <i>Connection with the Community</i>.</p>

Administer the Oath of Office and begin orientation.

Guidelines	Explanation
<p>See Board policy 2:80, <i>Board Member Oath and Conduct</i>.</p>	<p>Each individual, before taking his or her seat on the Board, must take an oath in substantially the form given in 105 ILCS 5/10-16.5.</p>
<p>See Board policy 2:120, <i>Board Member Development</i>, and 2:120-E, <i>Guidelines for Serving as a Mentor to a New School Board Member</i>.</p>	<p>Orientation assists new Board members to learn, understand, and practice effective governance principles. See the IASB Foundational Principles of Effective Governance, available at: www.iasb.com/principles_popup.cfm.</p>

Inform IASB of the newly appointed Board member's name and directory information.

School Board

Board Member Oath and Conduct

Each School Board member, before taking his or her seat on the Board, shall take the following oath of office:

I, *(name)*, **do solemnly swear** (or affirm) that I will faithfully discharge the duties of the office of member of the Board of Education (or Board of School Directors, as the case may be) of *(name of School District)*, in accordance with the Constitution of the United States, the Constitution of the State of Illinois, and the laws of the State of Illinois, to the best of my ability.

I further swear (or affirm) that:

I shall respect taxpayer interests by serving as a faithful protector of the School District's assets;

I shall encourage and respect the free expression of opinion by my fellow Board members and others who seek a hearing before the Board, while respecting the privacy of students and employees;

I shall recognize that a Board member has no legal authority as an individual and that decisions can be made only by a majority vote at a public Board meeting; and

I shall abide by majority decisions of the Board, while retaining the right to seek changes in such decisions through ethical and constructive channels.

The Board President will administer the oath in an open Board meeting; in the absence, of the President, the Vice President will administer the oath. If neither is available, the Board member with the longest service on the Board will administer the oath.

The Board adopts the Illinois Association of School Boards' "Code of Conduct for Members of School Boards". A copy of the Code shall be displayed in the regular Board meeting room.

LEGAL REF.: 105 ILCS 5/10-16.5.

CROSS REF.: 1:30 (School District Philosophy), 2:20 (Powers and Duties of the School Board), 2:50 (Board Member Term of Office), 2:210 (Organizational School Board Meeting)

School Board

Exhibit - Board Member Code of Conduct

As a member of my local School Board, I will do my utmost to represent the public interest in education by adhering to the following standards and principles:

1. I will represent all School District constituents honestly and equally and refuse to surrender my responsibilities to special interest or partisan political groups.
2. I will avoid any conflict of interest or the appearance of impropriety which could result from my position, and will not use my Board membership for personal gain or publicity.
3. I will recognize that a Board member has no legal authority as an individual and that decisions can be made only by a majority vote at a Board meeting.
4. I will take no private action that might compromise the Board or administration and will respect the confidentiality of privileged information.
5. I will abide by majority decisions of the Board, while retaining the right to seek changes in such decisions through ethical and constructive channels.
6. I will encourage and respect the free expression of opinion by my fellow Board members and will participate in Board discussions in an open, honest and respectful manner, honoring differences of opinion or perspective.
7. I will prepare for, attend and actively participate in School Board meetings.
8. I will be sufficiently informed about and prepared to act on the specific issues before the Board, and remain reasonably knowledgeable about local, State, national, and global education issues.
9. I will respectfully listen to those who communicate with the Board, seeking to understand their views, while recognizing my responsibility to represent the interests of the entire community.
10. I will strive for a positive working relationship with the Superintendent, respecting the Superintendent's authority to advise the Board, implement Board policy, and administer the District.
11. I will model continuous learning and work to ensure good governance by taking advantage of Board member development opportunities, such as those sponsored by my State and national school board associations, and encourage my fellow Board members to do the same.
12. I will strive to keep my Board focused on its primary work of clarifying the District purpose, direction and goals, and monitoring District performance.

School Board

Board Self-Evaluation

The School Board shall conduct a self-evaluation every other year during non-election years.

LEGAL REF.: 5 ILCS 120/2.
105 ILCS 5/23-6.

CROSS REF.: 2:200 (Types of School Board Meetings)

School Board

Board Member Conflict of Interest

No School Board member shall: (1) have a beneficial interest directly or indirectly in any contract, work, or business of the District unless permitted by State or federal law; or (2) solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to agreements or contracts with the District. Situations in which the interest is not substantial or the gift is an unsolicited item of nominal value must comply with State law and Board policy 2:105, Ethics and Gift Ban.

Board members must annually file a "*Statement of Economic Interests*" as required by the Illinois Governmental Ethics Act. Each Board member is responsible for filing the statement with the county clerk of the county in which the District's main office is located by May 1.

LEGAL REF.: 5 ILCS 420/4A-101, 420/4A-105, 420/4A-106, and 420/4A-107.

50 ILCS 105/3.

105 ILCS 5/10-9.

2 C.F.R. §200.318(c)(1).

CROSS REF.: 2:105 (Ethics and Gift Ban), 4:60 (Purchases and Contracts), 5:120 (Employee Ethics; and Conduct; and Conflict of Interest)

School Board

Ethics and Gift Ban

Prohibited Political Activity

The following precepts govern political activities being conducted by District employees and School Board members:

1. No employee shall intentionally perform any "political activity" during any "compensated time," as those terms are defined herein.
2. No Board member or employee shall intentionally use any District property or resources in connection with any political activity.
3. At no time shall any Board member or employee intentionally require any other Board member or employee to perform any political activity: (a) as part of that Board member's or employee's duties, (b) as a condition of employment, or (c) during any compensated time off, such as, holidays, vacation, or personal time off.
4. No Board member or employee shall be required at any time to participate in any political activity in consideration for that Board member or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise; nor shall any Board member or employee be awarded additional compensation or any benefit in consideration for his or her participation in any political activity.

A Board member or employee may engage in any activity that: (1) is otherwise appropriate as part of his or her official duties, or (2) are undertaken by the individual on a voluntary basis that is not prohibited by this policy.

Limitations on Receiving Gifts

Except as permitted by this policy, no Board member or employee, and no spouse of or immediate family member living with a Board member or employee, shall intentionally solicit or accept any "gift" from any "prohibited source," as those terms are defined herein, or that is otherwise prohibited by law or policy. No prohibited source shall intentionally offer or make a gift that violates this policy.

The following are exceptions to the ban on accepting gifts from a prohibited source:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the Board member or employee, or his or her spouse or immediate family member, pays the fair market value.
3. Any: (a) contribution that is lawfully made under the Election Code, or (b) activities associated with a fund-raising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.

6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (a) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (b) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (c) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other Board members or employees, or their spouses or immediate family members.
8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are: (a) consumed on the premises from which they were purchased or prepared; or (b) catered. "Catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of a Board member or employee), if the benefits have not been offered or enhanced because of the official position or employment of the Board member or employee, and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. "Intra-governmental gift" means any gift given to a Board member or employee from another Board member or employee, and "inter-governmental gift" means any gift given to a Board member or employee from an officer or employee of another governmental entity.
11. Bequests, inheritances, and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the listed exceptions is mutually exclusive and independent of every other.

A Board member or employee, his or her spouse or an immediate family member living with the Board member or employee, does not violate this policy if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code.

Enforcement

The Board President and Superintendent shall seek guidance from the Board attorney concerning compliance with and enforcement of this policy and State ethics laws. The Board may, as necessary or prudent, appoint an Ethics Advisor for this task.

Written complaints alleging a violation of this policy shall be filed with the Superintendent or Board President. If attempts to correct any misunderstanding or problem do not resolve the matter, the Superintendent or Board President shall, after consulting with the Board attorney, either place the alleged violation on a Board meeting agenda for the Board's disposition or refer the complainant to Board policy 2:260, *Uniform Grievance Procedure*. A Board member who is related, either by blood or by marriage, up to the degree of first cousin, to the person who is the subject of the complaint, shall not participate in any decision-making capacity for the Board. If the Board finds it more likely than not that the allegations in a complaint are true, it shall notify the State's Attorney and/or consider disciplinary action for the employee.

Definitions

Unless otherwise stated, all terms used in this policy have the definitions given in the State Officials and Employees Ethics Act, 5 ILCS 430/1-5.

"Political activity" means:

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
2. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
6. Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.

10. Preparing or reviewing responses to candidate questionnaires.
11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

With respect to an employee whose hours are not fixed, "compensated time" includes any period of time when the employee is on premises under the control of the District and any other time when the employee is executing his or her official duties, regardless of location.

"Prohibited source" means any person or entity who:

1. Is seeking official action by: (a) a Board member, or (b) an employee, or by the Board member or another employee directing that employee;
2. Does business or seeks to do business with: (a) a Board member, or (b) an employee, or with the Board member or another employee directing that employee;
3. Conducts activities regulated by: (a) a Board member, or (b) an employee or by the Board member or another employee directing that employee; or
4. Has an interest that may be substantially affected by the performance or non-performance of the official duties of the Board member or employee.
5. Is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act, except that an entity does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors; or
6. Is an agent of, a spouse of, or an immediate family member living with a prohibited source.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of a Board member or employee.

LEGAL REF.: 5 ILCS 430/, State Officials and Employees Ethics Act
10 ILCS 5/9-25.1, Election Interference Prohibition Act

CROSS REF.: 5:120 (Ethics)

School Board

Qualifications, Term, and Duties of Board Officers

The School Board officers are: President, Vice President, Secretary, and Treasurer. These officers are elected or appointed by the Board at its organizational meeting.

President

The Board elects a President from its members for a 2-year term. The duties of the President are to:

1. Focus the Board meeting agendas on appropriate content and preside at all meetings;
2. Make all Board committee appointments, unless specifically stated otherwise;
3. Attend and observe any Board committee meeting at his or her discretion;
4. Represent the Board on other boards or agencies;
5. Sign official District documents requiring the President's signature, including Board minutes and Certificate of Tax Levy;
6. Call special meetings of the Board;
7. Serve as the *head of the public body* for purposes of the Open Meetings Act and Freedom of Information Act;
8. Ensure that a quorum of the Board is physically present at all Board meetings;
9. Administer the oath of office to new Board members; and
10. Serve as the Board's official spokesperson to the media.

The President is permitted to participate in all Board meetings in a manner equal to all other Board members, including the ability to make and second motions.

The Vice President fills a vacancy in the Presidency.

Vice President

The School Board elects a Vice President from its members for a 2-year term. The Vice President performs the duties of the President if:

1. The office of President is vacant;
2. The President is absent; or
3. The President is unable to perform the office's duties.

A vacancy in the Vice Presidency is filled by special Board election.

Secretary

The Board elects a Secretary for a 2-year term. The secretary may be, but is not required to be, a Board member. The Secretary may receive reasonable compensation as determined by the Board before appointment. However, if the secretary is a Board member, the

compensation shall not exceed \$500 per year, as fixed by the Board at least 180 days before the beginning of the term. The duties of the Secretary are to:

1. Keep minutes for all Board meetings and keep the verbatim record for all closed Board meetings;
2. Mail meeting notification and agenda to news media who have officially requested copies;
3. Keep records of the Board's official acts, and sign them, along with the President, before submitting them annually to the Treasurer on the first Monday of April and October and on such other times as the Treasurer requests;
4. Report to the Treasurer on or before July 7, annually, such information as the Treasurer is required to include in the Treasurer's report to the Regional Superintendent;
5. Act as the local election authority for the district;
6. Arrange public inspection of the budget before adoption;
7. Publish required notices;
8. Sign official District documents requiring the Secretary's signature; and
9. Maintain Board policy, and such other official documents as directed by the Board.

The Secretary may delegate some or all of these duties, except when State law prohibits the delegation. The Board appoints a secretary pro tempore, who may or may not be a Board member, if the Secretary is absent from any meeting or refuses to perform the duties of the office. A permanent vacancy in the office of Secretary is filled by special Board election.

Recording Secretary

The Board may appoint a Recording Secretary who is a staff member. The Recording Secretary shall:

1. Assist the Secretary by taking the minutes for all open Board meetings;
2. Assemble Board meeting material and provide it, along with prior meeting minutes, to Board members before the next meeting; and
3. Perform the Secretary's duties, as assigned, except when State law prohibits the delegation.

In addition, the Recording Secretary or Superintendent receives notification from Board members who desire to attend a Board meeting by video or audio means.

Treasurer

The Treasurer of the Board shall be either an elected member of the Board who serves a 1-year term or an appointed non-Board member who serves at the Board's pleasure. A Treasurer who is a Board member may not be compensated. A Treasurer who is not a Board member may be compensated provided it is established before the appointment.

The appointed Treasurer must:

1. Be at least 21 years old;
2. Not be a member of the County Board of School Trustees; and
3. Have a financial background or related experience, or 12 credit hours of college-level accounting.

The Treasurer shall:

1. Furnish a bond, which shall be approved by a majority of the full Board;
2. Maintain custody of school funds;
3. Maintain records of school funds and balances;
4. Prepare a monthly reconciliation report for the Superintendent and Board; and
5. Receive, hold, and expend District funds only upon the order of the Board.

A vacancy in the Treasurer's office is filled by Board appointment.

LEGAL REF.: 5 ILCS 120/7 and 420/4A-106.
105 ILCS 5/8-1, 5/8-2, 5/8-3, 5/8-6, 5/8-16, 5/8-17, 5/10-1, 5/10-5, 5/10-7, 5/10-8, 5/10-13, 5/10-13.1, 5/10-14, 5/10-16.5, and 5/17-1.

CROSS REF.: 2:80 (Board Member Oath and Conduct), 2:210 (Organizational School Board Meeting)

School Board

Board Member Development

The School Board desires that its individual members learn, understand, and practice effective governance principles. The Board is responsible for member orientation and development. Board members have an equal opportunity to attend state and national meetings designed to familiarize members with public school issues, governance, and legislation.

The Board President and/or Superintendent shall provide all Board members with information regarding pertinent educational materials, publications, and notices of training or development.

Mandatory Board Member Training

Each Board member is responsible for his or her own compliance with the mandatory training laws that are described below:

1. Each Board member elected or appointed to fulfill a vacancy of at least one year's duration must complete at least 4 hours of professional development leadership training in education and labor law, financial oversight and accountability, and fiduciary responsibilities within the first year of his or her first term.
2. Each Board member must complete training on the Open Meetings Act no later than 90 days after taking the oath of office for the first time. After completing the training, each Board member must file a copy of the certificate of completion with the Board. Training on the Open Meetings Act is only required once.
3. Each Board member must complete a training program on evaluations under the Performance Evaluation Reform Act (PERA) before participating in a vote on a tenured teacher's dismissal using the optional alternative evaluation dismissal process. This dismissal process is available after the District's PERA implementation date.

The Superintendent or designee shall maintain on the District website a log identifying the complete training and development activities of each Board member, including both mandatory and non-mandatory training.

Professional Development; Adverse Consequences of School Exclusion; Student Behavior

The Board President or Superintendent, or their designees, will make reasonable efforts to provide ongoing professional development to Board members about the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, and developmentally appropriate disciplinary methods that promote positive and healthy school climates, i.e., *Senate Bill 100 training topics*.

Board Self-Evaluation

The Board will conduct periodic self-evaluations with the goal of continuous improvement.

New Board Member Orientation

The orientation process for newly elected or appointed Board members includes:

1. The Board President or Superintendent, or their designees shall give each new Board member a copy of or online access to the Board Policy Manual, the Board's regular meeting minutes for the past year, and other helpful information including material describing the District and explaining the Board's roles and responsibilities.
2. The Board President or designee shall schedule one or more special Board meetings, or schedule time during regular meetings, for Board members to become acquainted and to review Board processes and procedures.
3. The Board President may request a veteran Board member to mentor a new member.
4. All new members are encouraged to attend workshops for new members conducted by the Illinois Association of School Boards.

Candidates

The Superintendent or designee shall invite all current candidates for the office of Board member to attend: (1) Board meetings, except that this invitation shall not extend to any closed meetings, and (2) pre-election workshops for candidates.

LEGAL REF.: 5 ILCS 120/1.05 and 120/2.
105 ILCS 5/10-16a and 5/24-16.5

CROSS REF.: 2:80 (Board Member Oath and Conduct), 2:125 (Board Member Expenses), 2:200 (Types of School Board Meetings)

School Board

Exhibit - Guidelines for Serving as a Mentor to a New School Board Member

On District letterhead

Date

Dear School Board Member:

Congratulations on being asked to serve as a mentor to a new Board member. The goal of the mentoring program is to orient a new Board member to the Board and District and to help him or her be comfortable, develop self-confidence, and become an effective leader. Follow these guidelines to maximize your mentoring effectiveness.

1. Be a good mentor by sharing your knowledge and experiences with others. Take a personal interest in helping others succeed.
2. Try to develop an informal, collegial relationship with the new Board member – explain that you are there to help. Listen respectfully to all concerns and answer questions honestly.
3. During your first contact with the new Board member, introduce yourself and explain that you will serve as his or her mentor and are looking forward to sharing information about the Board and District. If possible, meet with the individual to become acquainted. Be available as needed to provide assistance, advice, and support. The Superintendent's office will have already sent the new Board member a copy of the Board's policies as well as other helpful material.
4. Be prepared to introduce the new Board member at upcoming Board events until he or she becomes a familiar face.
5. Be available and maintain a helpful attitude. You will assist the new Board member become an effective member of the Board and ensure skilled and knowledgeable future leadership for the District.

Being a mentor can bring rewards to you, the new Board member, and the District. Thank you for your assistance and commitment.

Sincerely,

School Board President

School Board

Board Member Compensation; Expenses

Board Member Compensation Prohibited

School Board members provide volunteer service to the community and may not receive compensation for services, except that a Board member serving as the Board Secretary may be paid an amount up to the statutory limit if the Board so provides.

Roll Call Vote

All Board member expense requests for travel, meals, and/or lodging must be approved by roll call vote at an open meeting of the Board.

Regulation of School District Expenses

The Board regulates the reimbursement of all travel, meal, and lodging expenses in the District by resolution. No later than approval of the annual budget and when necessary, the Superintendent will recommend a maximum allowable reimbursement amount for expenses to be included in the resolution. The recommended amount should be based upon the District's budget and other financial considerations.

Money shall not be advanced or reimbursed, or purchase orders issued for: (1) the expenses of any person except the Board member, (2) anyone's personal expenses, or (3) entertainment expenses. Entertainment includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event.

Exceeding the Maximum Allowable Reimbursement Amount(s)

All requests for expense advancements, reimbursements, and/or purchase orders that exceed the maximum allowable reimbursement amount set by the Board may only be approved by it when:

1. The Board's resolution to regulate expenses allows for such approval;
2. An emergency or other extraordinary circumstance exists; and
3. The request is approved by a roll call vote at an open Board meeting.

Advancements

The Board may advance to its member's actual and necessary expenses to be incurred while attending:

1. Meetings sponsored by the Illinois State Board of Education or by the Regional Superintendent of Schools;
2. County or regional meetings and the annual meeting sponsored by any school board association complying with Article 23 of the School Code; and
3. Meetings sponsored by a national organization in the field of public school education.

Expense advancement requests must be submitted to the Superintendent or designee on the Board's standardized estimated expense approval form. After spending expense advancements, Board members must use the Board's standardized expense reimbursement

form and submit to the Superintendent: (a) the itemized, signed advancement voucher that was issued, and (b) the amount of actual expenses by attaching receipts. A Board member must return to the District any portion of an expense advancement not used. If an expense advancement is not requested, expense reimbursements may be issued by the Board to its members for the activities listed in numbers one through three, above, along with registration fees or tuition for a course(s) that allowed compliance with the mandatory trainings described in policy 2:120, *Board Member Development* and other professional development opportunities that are encouraged by the School Code (see the **Reimbursements and Purchase Orders** subhead, below). Expense advancements and vouchers shall be presented to the Board in its regular bill process.

Reimbursements and Purchase Orders

Expense reimbursement is not guaranteed and, when possible, Board members should seek pre-approval of expenses by providing an estimation of expenses on the Board's standardized estimated expense approval form, except in situations when the expense is diminutive. When pre-approval is not sought, Board members must seek reimbursement on the Board's standardized expense reimbursement form. Expense reimbursements and purchase orders shall be presented to the Board in its regular bill process.

Credit and Procurement Cards

Credit and procurement cards shall not be issued to Board members.

Standardized Expense Form(s) Required

All requests for expense advancement, reimbursement, and/or purchase orders in the District must be submitted on the appropriate itemized, signed standardized form(s). The form(s) must show the following information:

1. The amount of the estimated or actual expense, with attached receipts for actual incurred expenses.
2. The name and office of the Board member who is requesting the expense advancement or reimbursement. Receipts from group functions must include the names, offices, and job titles of all participants.
3. The date(s) of the official business on which the expense advancement or reimbursement will be or was expended.
4. The nature of the official business conducted when the expense advancement or reimbursement will be or was expended.

Types of Official Business for Expense Advancements, Reimbursements, and Purchase Orders

1. Registration. When possible, registration fees will be paid by the District in advance.
2. Travel. The least expensive method of travel will be used, providing that no hardship will be caused to the Board member. Board members will be reimbursed for:
 - a. Air travel at the coach or economy class commercial airline rate. First class or business class air travel will be reimbursed only if emergency circumstances warrant. The emergency circumstances must be explained on the expense form

- and Board approval of the additional expense is required. Copies of airline tickets must be attached to the expense form.
- b. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets must be attached to the expense form to substantiate amounts.
 - c. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach airfare. Mileage for use of personal automobiles in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.
 - d. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense form.
 - e. Taxis, airport limousines, or other local transportation costs.
3. Meals. Meals charged to the School District should represent mid-fare selections for the hotel/meeting facility or general area, consistent with the maximum allowable reimbursement amount set by the Board. Tips are included with meal charges. Expense forms must explain the meal charges incurred. Alcoholic beverages will not be reimbursed.
 4. Lodging. Board members should request conference rate or mid-fare room accommodations. A single room rate will be reimbursed. Board members should pay personal expenses at checkout. If that is impossible, deductions for the charges should be made on the expense form.
 5. Miscellaneous Expenses. Board members may seek reimbursement for other expenses incurred while attending a meeting sponsored by organizations described herein by fully describing the expenses on the expense form, attaching receipts.

LEGAL REF.: 105 ILCS 5/10-20 and 5/10-22.32.
Local Government Travel Expense Control Act, 50 ILCS 150/.

CROSS REF.: 2:100 (Board Member Conflict of Interest), 2:120 (Board Member Development), 2:240 (Board Policy Development), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards), 5:60 (Expenses)

School Board

Exhibit - Board Member Travel Expense Voucher

To be submitted to the Superintendent

Name:			
Position:			
Reason for Travel:			
Destination:			
Date of Departure:		Date of Return:	

Date	Travel*		Lodging	Breakfast	Lunch	Dinner	Other	Total
	Miles	Cost						

*Auto mileage = cents per mile.	TOTAL REQUEST: \$
--------------------------------------------	-------------------

APPROVAL:

Board President Date

Superintendent Date

School Board

Exhibit - Board Member Travel Expense Purchase Order

To be submitted to the Superintendent

Name:			
Position:		Date Submitted:	
Destination:			
Date of Departure:		Date of Return:	

Estimated Expenses

Registration	
Travel	
Lodging	
Meals	
Other	
Total	

APPROVAL:

Board President	Date
Superintendent	Date
Business Manager	Date

School Board

Board-Superintendent Relationship

The School Board employs and evaluates the Superintendent and holds him or her responsible for the operation of the District in accordance with Board policies and State and federal law.

The Board-Superintendent relationship is based on mutual respect for their complementary roles. The relationship requires clear communication of expectations regarding the duties and responsibilities of both the Board and Superintendent.

The Board considers the recommendations of the Superintendent as the District's Chief Executive Officer. The Board adopts policies necessary to provide general direction for the District and to encourage achievement of District goals. The Superintendent develops plans, programs, and procedures needed to implement the policies and directs the District's operations.

LEGAL REF.: 105 ILCS 5/10-16.7 and 5/10-21.4.

CROSS REF.: 3:40 (Superintendent)

School Board

Communications to and from the Board ¹

The school board welcomes communications from staff members, parents, students, and community members. Individuals may submit questions or communications for the School Board's consideration to the Superintendent, or may use the electronic link to the Board's e-mail address(es) that is posted on the District's website. ² In accordance with the Open Meetings Act and the Oath of Office taken by board members, individual board members will not (a) reply to an email on behalf of the entire Board, or (b) engage in the discussion of District business with a majority of a Board-quorum. ³

The Superintendent, or designee, shall: ⁴

1. Ensure that the home page for the District's website contains an active electronic link to the email address(es) for the School Board, and,

¹ State law controls the portion of this policy concerning board member use of email. The first paragraph is a matter of local board discretion; however, as presented, it is in alignment with the IASB's "Foundational Principles of Effective Governance."

² School districts that maintain an Internet website, other than a social media or social networking website, must post a "mechanism, such as a uniform single email address, for members of the public to electronically communicate with elected officials," (50 ILCS 205/20, added by P.A. 98-930, eff. 1-1-2015). This must be done within 90 days of 1-1-2015. The sample policy's default language may be used even when the district provides each board member with an individual e-mail address. The language permits every board member to read all emails sent to the board or its members. This promotes good governance because all members are provided the same information and communications as illustrated below:

- When the district provides individual email addresses to board members, it can post a hyperlink on the district home page to an email address that will forward the communication to all 7 board members' email addresses simultaneously.
- When the district does not provide individual email addresses to board members, it can post a hyperlink on the district's home page to one email address that every board member may access.

Other ways to comply should be avoided unless they allow all board members to have equal access to communications. For example, posting a hyperlink on the district home page to a list of individual board member email addresses will not ensure that all board members have equal access to emails.

Whenever a district provides email addresses to individual board members, all emails sent to individual email addresses are subject to disclosure under the Freedom of Information Act. *City of Champaign v. Madigan*, 992 N.E.2d 629(Ill.App.4th, 2013).

If the district does not maintain an Internet website, delete all text in the first paragraph after the word Superintendent and delete the entire second paragraph, i.e.: (stricken through to show alternative)

³ The oath of office in 105 ILCS 5/10-16.5 requires board members to swear or affirm that they "shall recognize that a board member has no legal authority as an individual and that decisions can only be made by a majority vote at a public board meeting." Deliberations of the board must be conducted openly; a meeting occurs whenever a majority of a quorum discusses public business; meetings must occur at a properly noticed board meeting that is open to the public (5 ILCS 120/1, 1.02, and 2). For additional information, see f/ns below and 2:140-E, Guidance for Board Member Communications, Including Email Use.

⁴ Directive #1 to the superintendent restates the statutory requirement to post a hyperlink to the email address on the district's home page (50 ILCS 205/20, added by P.A. 98-930, eff. 1-1-2015). Directive #2 is optional; it adds a step to increase efficient responses to communications concerning the operation or management of the district or a school.

A public body is not required to reply to communications. Likewise, the Freedom of Information Act does not require questions to be answered. *Chicago Tribune Co. v. Dept. of Financial & Professional Reg.*, 8 N.E.3d 11 (Ill.App. 4th, 2014).

2. Provide the Board, such as in the Board meeting packet, with all emails that are received and any feedback regarding them.

If contacted individually, Board members will refer the person to the appropriate level of authority, except in unusual situations. Board members' questions or communications to staff or about programs will be channeled through the Superintendent's office. Board members will not take individual action that might compromise the Board or District. There is no expectation of privacy for any communication sent to the Board or its members, whether sent by letter, email, or other means.

Board Member Use of Electronic Mail ⁵

For purposes of this section, *electronic communications* includes, without limitation, electronic mail, electronic chat, instant messaging, text messaging, and any form of social networking. Electronic communications among a majority or more of a Board-quorum shall not be used for the purpose of discussing District business. Electronic communications among Board members shall be limited to: ⁶ (1) disseminating information, and (2) messages not involving deliberation, debate, or decision-making. The following list contains examples of permissible electronic communications:

- Agenda item suggestions;
- Reminders regarding meeting times, dates, and places
- Board meeting agendas or information concerning agenda items
- Individual emails to community members, subject to the other limitations in this policy

LEGAL REF.: 5 ILCS 120/
50 ILCS 205/20

CROSS REF.: 2:220 (School Board Meeting Procedure), 3:30 (Chain of Command)
8:110 (Public Suggestions and Complaints)

⁵ With some exceptions, the Open Meetings Act requires that a board conduct its deliberations and business during meetings that the public may attend. A meeting means "any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business." 5 ILCS 120/1.02 as amended by P.A. 94-1058, eff. 1/1/07. Thus, an email discussing district business that circulates among a majority of a quorum of the board may qualify as a meeting for purposes of the Open Meetings Act and may be illegal.

Most of the email messages between or among board members need not be preserved. The Local Records Act, 50 ILCS 205/1 et seq., governs retention of district records; its definition of "public record" is narrower than the definition in the Freedom of Information Act. Email must be retained only when it contains: (1) evidence of the district's organization, function, policies, procedures, or activities, or (2) informational data appropriate for preservation. While this is a slippery slope without definitive parameters, email among board members that is permissible under this policy may generally be deleted; consult the board's attorney for a more thorough analysis and a legal opinion.

⁶ Complying with these restrictions will help avoid an Open Meetings violation.

School Board

Committees

The School Board may establish committees to assist with the Board's governance function and, in some situations, to comply with State law requirements. These committees are known as Board committees and report directly to the Board. Committee members may include both Board members and non-Board members depending on the committee's purpose. The Board President makes all Board committee appointments unless specifically stated otherwise. Board committee meetings shall comply with the Open Meetings Act. A Board committee may not take final action on behalf of the Board – it may only make recommendations to the Board.

Special Board Committees

A special committee may be created for specific purposes or to investigate special issues. A special committee shall be automatically dissolved after presenting its final report to the Board or at the Board's discretion.

Standing Board Committees

A standing committee—is created for indefinite terms although its members will fluctuate. Standing committees are:

1. Board Policy Committee. This committee researches policy issues, and provides information and recommendations to the Board Parent-Teacher Advisory Committee. This committee assists in the development of student discipline policy and procedure. Its members are parents/guardians and teachers, and may include persons whose expertise or experience is needed. The committee reviews such issues as administering medication in the schools, reciprocal reporting between the School District and local law enforcement agencies regarding criminal offenses committed by students, student discipline, disruptive classroom behavior, school bus safety procedures, and the dissemination of student conduct information.
2. Behavioral Interventions Committee. This committee develops and monitors procedures for using behavioral interventions in accordance with Board policy 7:230, *Misconduct by Students with Disabilities*. At the Board President's discretion, the Parent-Teacher Advisory Committee shall perform the duties assigned to the Behavioral Interventions Committee.

Nothing in this policy limits the authority of the Superintendent or designee to create and use committees that report to him or her or to other staff members.

LEGAL REF.: 5 ILCS 120/1 et seq.
 105 ILCS 5/10-20.14 and 10/1 et seq.
 23 Ill. Admin.Code. Part 226.

CROSS REF.: 2:110 (Qualifications, Term, and Duties of Board Officers), 2:200 (Types of School Board Meetings), 2:240 (Board Policy Development), 7:190 (Student Discipline), 7:230 (Misconduct by Students with Disabilities)

School Board

Administrative Procedure - Superintendent Committees

The Superintendent creates Superintendent Committees as deemed necessary, makes all appointments, and directs all activities. Superintendent committees report to the Superintendent. Superintendent committees include:

Communicable and Chronic Infectious Disease Program Task Force

The task force assists in the development and review of a chronic and infectious disease program consistent with the District's policies and State and federal laws and regulations. Appointments are made to the task force only if the Superintendent determines that its input is desirable.

Task force members include the Superintendent or designee, school medical advisor, a school nurse, and representatives from the School Board, local health department, PTA, the professional staff, and other employee groups.

Communicable and Chronic Infectious Disease Review Team

The review team monitors those employees and students who have a communicable and chronic infectious disease, and:

1. Reviews individual medical case histories.
2. Recommends the most appropriate educational setting for a student, that may include temporary removal from and return to the regular educational setting.
3. Recommends the most appropriate work setting for an employee, that may include retention in his/her present position, transfer to another position, or temporarily excused from or returned to his/her work assignment.

Team members include the District's medical advisor, a school nurse, the Building Principal, and the Superintendent or designee.

The review team is guided by the Board's policies, Illinois Department of Public Health rules and regulations, and all other applicable State and federal laws. The review team consults the employee's or the student's personal physician and local health department officials before making any recommendations.

The Communicable and Chronic Infectious Disease Review Team respects the privacy rights of each employee and student and takes such precautions as may be necessary to secure confidentiality.

Employee Drug Abuse Committee

The committee makes recommendations regarding employee drug abuse, and:

1. Cooperates with community and State agencies on drug abuse programs.
2. Gathers information about drug abuse and suggests methods to disseminate it to staff.
3. Develops a support network that encourages employees to self-refer for treatment and suggests procedures for early identification and treatment.

4. Recommends procedures that would protect the privacy of employees while taking into consideration the Board's obligation to provide a safe environment and to ensure high quality performance.
5. Recommends a method to explicitly inform employees of District policy and the consequences of drug abuse.

Committee members include the Superintendent or designee, the District's medical advisor, and employee representatives from both professional and educational support personnel. The committee is guided by Board policies, administrative procedures, and relevant State and federal statutes.

Title I Advisory Committee

The committee supports the development and implementation of the District's Title I plan. Its activities may include, at the Superintendent's directive:

1. Facilitating the active involvement of parents/guardians in their children's academic success by such activities as coordinating Title I parent-teacher conferences, providing information to help parents/guardians assist their children, coordinating volunteer or paid participation by parents/guardians in school activities, and establishing a process to respond to parents/guardians' inquiries and recommendations.
2. Distributing Title I informational materials.
3. Preparing and monitoring revised School Improvement Plan(s).
4. Supporting the implementation of School Board policy 6:170, *Title I Programs*.

Committee members include parents/guardians and teachers of Title I children.

Sex Equity Committee

The committee supports the District's efforts to eliminate sexual harassment by advising the Superintendent on prevention, intervention, and education.

Committee members may include community representatives, District administrators, teachers, and students.

School Board

Board Attorney

The School Board may enter into agreements for legal services with one or more attorneys or law firms to be the Board Attorney(s). **1** The Board Attorney represents the School Board in its capacity as the governing body for the School District. The Board Attorney shall not represent another client if the representation involves a concurrent conflict of interest, unless permitted by the Ill. Rules of Professional Conduct adopted by the Ill. Supreme Court. **2** The Board Attorney serves on a retainer or other fee arrangement as determined in advance. The Board Attorney will provide services as described in the agreement for legal services. **3** The District will only pay for legal services that are provided in accordance with the agreement for legal services or are otherwise authorized by this policy or a majority of the Board.

The Superintendent, his or her designee, and Board President, are each authorized to confer with and/or seek the legal advice of the Board Attorney. **4** The Board may authorize a specific member to confer with legal counsel on its behalf.

The Superintendent may authorize the Board Attorney to represent the District in any legal matter until the Board has an opportunity to consider the matter.

The Board retains the right to consult with or employ other attorneys and to terminate the service of any attorney.

1 The attorney's selection and duties are totally within the board's discretion – bidding is not required (105 ILCS 5/10-20.21).

2 This is a restatement of Rule 1.7 (Conflict of Interest: Current Clients) and Rule 1.13 (Organization as Client) of the Ill. Rules of Professional Conduct, at www.illinoiscourts.gov/supremecourt/rules/art_viii/default_new.asp.

3 There is no general format for an agreement for legal services. To help monitor its legal fees, a board should require a written agreement with the board attorney or law firm that details the services, fees, expenses, and billing format. See Board exhibit 2:160-E, *Checklist for Selecting a Board Attorney*.

Legal services can be spelled out in the policy but boards face the attendant risk of conflicting lists. However, a board desiring such a list can use the following:

The attorney will:

1. Serve as counselor to the Board and attend Board meetings when requested by the Superintendent or Board President;
2. Represent the District in any legal matter as requested by the Board;
3. Provide written opinions on legal questions as requested by the Superintendent or Board President;
4. Approve, prepare, or supervise the preparation of legal documents and instruments and perform such other legal duties as the Board may request; and
5. Be available for telephone consultation.

4 Depending on the fee arrangement, contacting the board attorney generates fees owed by the district. Thus, the board needs to limit who is authorized to contact the board attorney to avoid excessive attorney fees. Additional individuals may be added to this sentence as in the alternative below:

The following people are authorized to confer with and/or seek the legal advice of the Board Attorney: Superintendent or designee, Business Manager, District Freedom of Information Officer, Complaint Manager(s), District treasurer, and the Board President.

Individual board members should refrain from discussing their board attorney's advice outside of a board meeting. Disclosing legal advice can waive the attorney-client privilege. Individual board members possess none of the board's powers and are not authorized to individually waive attorney-client privilege on behalf of the board as an entity.

School Board

Procurement of Architectural, Engineering, and Land Surveying Services

The School Board selects architects, engineers, and land surveyors to provide professional services to the District on the basis of demonstrated competence and qualifications, and in accordance with State law.

LEGAL REF.: Shively v. Belleville Township High School District 201, 769 N.E.2d
1062 (Ill. App.5 2002), *appeal denied*.
40 U.S.C. § 541.
50 ILCS 510/0.01 et seq., Local Government Professional Services
Selection Act.
105 ILCS 5/10-20.21.

School Board

Administrative Procedure - Qualification Based Selection

The following procedures are used to implement the statutory requirements for procuring of architectural, engineering, and land surveying services needed.

1. When an upcoming project requiring services is approved by the Board, or when a change in professional consulting services is considered, a notice shall be published by the District in the local and area newspapers requesting (a) statements of interests in the project and (b) statements of qualifications and performance data from persons and/or firms engaged in architectural, engineering, or land surveying services.
2. The Superintendent and the Operations & Maintenance Committee and will evaluate the persons or firms who submit a statement of interest, and submit its report and recommendations to the Board.
3. On the basis of the committee's recommendation and the School Board's review and discussion, no less than 3 persons or firms, who would be most qualified to provide services for the project, will be selected and ranked in order of their qualifications.
4. The Superintendent will prepare a written description of the scope of the proposed services to be used by the District as a basis for negotiations with the person or firm. The description of the project shall be given to the highest-ranked qualified person or firm.
5. The Superintendent will negotiate the scope of the services and compensation with the highest-ranked qualified firm. The District and person or firm will determine a mutually agreeable time period for negotiating and the schedule will be announced by the Superintendent.
6. If the District is unable to reach agreement on a contract with the highest-ranked qualified person or firm, negotiations will terminate with the person or firm. The Superintendent shall then proceed to negotiate with the person or firm ranked next in qualifications. The District and person or firm shall determine a mutually agreeable time period for negotiating and the schedule will be announced by the Superintendent.
7. If the District is unable to negotiate a satisfactory contract with any of the 3 originally selected firms, the Operations & Maintenance Committee will re-evaluate the services requested and compile a second list of not less than 3 qualified persons or firms and continue the process.

School Board

Mailing Lists for Receiving Board Material

The Superintendent shall maintain a mailing list of the people who file a written request to receive any of the items listed below. Those persons shall be mailed copies of the following, provided they have pre-paid the subscription fee, pro-rated if subscribing less than one year:

1. Board Agenda
2. Budgets
3. Audits
4. Official Board Minutes which will be mailed within 10 days after approval

The Superintendent shall annually set the subscription fee in an amount sufficient to cover reproduction and mailing costs. The subscription period shall be the same as the District's fiscal year.

LEGAL REF.: 105 ILCS 5/10-21.6.

CROSS REF.: 2:220 (School Board Meeting Procedure)

School Board

Types of School Board Meetings ¹

General

For all meetings of the School Board and its committees, the Superintendent or designee shall satisfy all notice and posting requirements contained herein, as well as the Open Meetings Act. This shall include mailing meeting notifications to news media that have officially requested them, and to others as approved by the School Board. ² Unless otherwise specified, all meetings are held in a location convenient and open to the public. ³ Board policy 2:220, *School Board Meeting Procedure*, governs meeting quorum requirements.

The Superintendent is designated on behalf of the Board and each Board committee to receive the training on compliance with the Open Meetings Act that is required by the Section 1.05(a) of that Act. The Superintendent may identify other employees to receive the training. ⁴ In addition, each Board member must complete a course of training on the Open Meetings Act as required by Section 1.05(b) or(c) of that Act. ⁵

Regular Meetings

The School Board announces the time and place for its regular meetings at the beginning of each fiscal year. ⁶ The Superintendent shall prepare and make available the calendar of

¹ State law controls this policy's content. The provisions of the Open Meetings Act (OMA) do not apply to collective bargaining negotiations and grievance arbitrations as provided in 115 ILCS 5/18.

² 5 ILCS 120/2.02. These responsibilities may be given to anyone.

³ State law only requires that meetings be held in a location convenient and open to the public and no open meeting is allowed to be held on a legal holiday unless the regular meeting day falls on that holiday (5 ILCS 120/2.01). A board may not meet in a private residence because it would not be convenient and open to the public (Public Access Opinion 12-8) Any person may record an open meeting (5 ILCS 120/2.05). See policy 2:220, *School Board Meeting Procedure*.

⁴ Each board must designate at least one employee or member to receive training on compliance with OMA (5 ILCS 120/1.05, added by P.A. 96-542, eff. 1-1-10). Revise this paragraph if the board designates other individual(s) to receive the training. A list of designated individual(s) must be submitted to the Attorney General's Public Access Counselor. The designated individual(s) must successfully complete an electronic training curriculum administered by the Attorney General's Public Access Counselor, and thereafter must successfully complete an annual training program. The OMA does not specify duties for the designated individuals who receive the training but presumably they would assist the board in its OMA compliance efforts.

⁵ 5 ILCS 120/1.05(b) applies to training administered by the Attorney General's office; 1.05(c) applies to training administered by IASB (both subparts added by P.A. 97-504). Board members seated on or before 1-1-2012 must complete the training by 1-1-2013 (Id.). Board members elected or appointed after 1-1-2012 must complete the training not later than 90 days after taking the oath of office (Id.). Even before this law, compliance with the OMA has always been considered a shared responsibility of board members. Failing to complete the OMA training does not affect the validity of an action taken by the board nor is it considered a criminal violation (5 ILCS 120/1.05(b) and 120/4, amended by P.A. 97-504). However, a person found to have violated any other provisions of the OMA is guilty of a Class C misdemeanor punishable by a \$1500 fine or 30 days in jail (5 ILCS 120/4, amended by P.A. 97-504).

⁶ The OMA and The School Code have different provisions regarding the establishment of a regular meeting schedule. The OMA requires each public body to prepare and make available a regular meeting schedule at the beginning of each calendar or fiscal year (5 ILCS 120/2.03). The School Code states that this task is accomplished during the organizational meeting held within 7 days of the consolidated election in April. By "announcing" the

regular School Board meetings. The Regular meeting calendar may be changed with 10 days' notice in accordance with State law. ⁷

A meeting agenda shall be posted at the District administrative office and the Board meeting room, or other location where the meeting is to be held, at least 48 hours before the meeting. ⁸

Closed Meetings ⁹

The School Board and School Board committees may meet in a closed meeting to consider the following subjects:

1. The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. 5 ILCS 120/2(c)(1).¹⁰
2. Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2).
3. The selection of a person to fill a public office, as defined in the Open Meetings Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance. 5 ILCS 120/2(c)(3).
4. Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined in this Act,

schedule at the beginning of each calendar or fiscal year and by "fixing" the schedule at the organizational meeting, a board can implement both laws. Note that the phrase in this sample policy, "at the beginning of each fiscal year," can be changed to "at the beginning of each calendar year."

⁷ Regular meeting dates may be changed by giving at least 10 days' notice in a newspaper of general circulation and posting a notice at the district's principal office (5 ILCS 120/2.03). Districts, with a population of less than 500, in which no newspaper is published, may give the 10 days' notice by posting a notice in at least 3 prominent places within the district, in addition to posting a notice at the district's principal office (Id.). Notice shall also be given to those news media having filed an annual request to receive notifications (Id.).

⁸ 5 ILCS 120/2.02(a). The posting location may need modification to comply with the law's requirement that the agenda be posted at the district's main office. For agenda requirements, see policy 2:220, School Board Meeting Procedure.

OMA also requires that "any required notice and agenda be continuously available for public viewing during the entire 48-hour period preceding the meeting." Emphasis added, 5 ILCS 120/2.02(c), amended by P.A. 97-827 (eff. 1-1-2013). The requirement for continuously available is satisfied if the district posts any required notice and agenda on its website. However, to comply with the legislative intent, posting on the district website does not replace the posting described in this sentence. See Rep. Pihos remarks reported in New open-meetings law; is hard-copy posting of agendas still required?, Sept. 2012, Illinois Bar Journal. If a notice or agenda is not continuously available for the full 48-hour period due to actions outside of the district's control, the lack of availability does not invalidate any meeting or action taken.

⁹ The reasons for closed meetings are frequently addressed in court decisions and Attorney General opinions; only a few of these decisions/opinions are mentioned in the footnotes.

¹⁰ "This exception is not intended to allow private discussion of fiscal matters, notwithstanding that they may directly or indirectly impact the employees of the public body" See PAOs 12-11 and 15-03.

provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning. 5 ILCS 120/2(c)(4).

5. The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired. 5 ILCS 120/2(c)(5).
6. The setting of a price for sale or lease of property owned by the public body. 5 ILCS 120/2(c)(6).
7. The sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).
8. Security procedures, school building safety and security, and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff or public property. 5 ILCS 120/2(c)(8)., amended by P.A. 99-235, eff. 1-1-16.
9. Student disciplinary cases. 5 ILCS 120/2(c)(9).
10. The placement of individual students in special education programs and other matters relating to individual students. 5 ILCS 120/2(c)(10).
11. Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. 5 ILCS 120/2(c)(11).
12. The establishment of reserves or settlement of claims as provided in the Local Government and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member. 5 ILCS 120/2(c)(12).
13. Self-evaluation, practices and procedures, or professional ethics, when meeting with a representative of a statewide association of which the public body is a member. 5 ILCS 120/2(c)(16). ¹¹
14. Discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. 5 ILCS 120/2(c)(21).
15. Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected

¹¹ IASB field services directors are available to facilitate a board self-evaluation.

frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. 5 ILCS 120/2(c)(28). 12

The Board may hold a closed meeting, or close a portion of a meeting, by a majority vote of a quorum, taken at an open meeting. The vote of each School Board member present, and the reason for the closed meeting, will be publicly disclosed at the time of the meeting and clearly stated in the motion and the meeting minutes. 13

A single motion calling for a series of closed meetings may be adopted by a School Board quorum when such meetings will involve the same particular matters and are scheduled to be held within 3 months of the vote. 14

No final School Board action will be taken at a closed meeting. 15

Reconvened or Rescheduled Meetings

A meeting may be rescheduled or reconvened. Public notice of a rescheduled or reconvened meeting shall be given in the same manner as that for a special meeting, except that no public notice is required when the original meeting is open to the public and (1) is to be reconvened within 24 hours, or (2) an announcement of the time and place of the reconvened meeting was made at the original meeting and there is no change in the agenda. 16

Special Meetings

Special meetings may be called by the President or by any 3 members of the School Board by giving notice thereof, in writing, stating the time, place, and purpose of the meeting to remaining Board members by mail at least 48 hours before the meeting, or by personal service at least 24 hours before the meeting. 17

12 P.A. 97-318.

13 5 ILCS 120/2a. Provided the open meeting was properly noticed, no additional notice is required to close the meeting. A motion to close a meeting can be as simple as, "I move that the Board hold [go into] a closed session to discuss [state one of the closed meeting grounds with reference to the specific section authorizing the closed meeting]."

The adequacy of a motion to go into closed session was discussed in Henry v. Anderson and Champaign Community Unit School Dist. No. 4, 827 N.E.2d 522 (Ill.App.4, 2005). A statutory citation is not required in the motion to go into closed session, but the OMA does require a reference to the specific exception. The *litigation* exception is tricky. If the litigation has been filed and is pending, the motion to go into closed session need only state that the board will discuss litigation that has been filed and is pending. If the litigation has not been filed, the board must: (1) find that the litigation is probable or imminent, and (2) record and enter into the minutes the basis for that finding.

14 Id.

15 5 ILCS 120/2(e). See also PAOs 13-03, 13-07, and 14-01.

16 5 ILCS 120/2.02.

17 105 ILCS 5/10-16 (2 members of a board of directors; 105 ILCS 5/10-6). Lawyers disagree whether 3 members may call a special meeting without violating the OMA, although there is general agreement that no violation occurs if 3 members call a special meeting while they are participating in a lawful board committee meeting with the matter on the agenda.

Public notice of a special meeting is given by posting a notice at the District's administration office at least 48 hours before the meeting and by notifying the news media that have filed a written request for notice. A meeting agenda shall accompany the notice. **18**

All matters discussed by the School Board at any special meeting must be related to a subject on the meeting agenda **19**

Emergency Meetings

Public notice of emergency meetings shall be given as soon as practical, but in any event, before the meeting to news media that have filed a written request for notice. **20**

Posting on the District Website **21**

In addition to the other notices specified in this policy, the Superintendent or designee shall post the following on the District website: (1) the annual schedule of regular meetings, which shall remain posted until the Board approves a new schedule of regular meetings; (2) a public notice of all Board meetings; and (3) the agenda for each meeting which shall remain posted until the meeting is concluded.

LEGAL REF.: 5 ILCS 120/, Open Meeting Act.
5 ILCS 140/, Freedom of Information Act.
105 ILCS 5/10-6 and 5/10-16.

CROSS REF.: 2:110 (Qualifications Term, and Duties of Board Officers), 2:120 (board Member Development), 2:210 (Organizational School Board Meetings), 2:220 (School Board Meeting Procedure), 2:230 (Public Participation at School Board Meetings and Petitions to the Board), 6:235 (Access to Electronic Networks)

18 5 ILCS 120/2.02. News media that gave the board an address or telephone number within the district's territorial jurisdiction must be given notice in the same manner as that given school board members.

OMA requires that "any required notice and agenda be continuously available for public viewing during the entire 48-hour period preceding the meeting." Emphasis added, 5 ILCS 120/2.02(c), amended by P.A. 97-827 (eff. 1-1-2013). The requirement for continuously available is satisfied if the district posts any required notice and agenda on its website. Posting on the district website does not replace the posting described in this paragraph. See f/n #8.

19 Lawyers disagree whether the Open Meetings Act mandates this restriction, i.e., whether it restricts board discussions to items related to an item on the special meeting agenda. The Act limits board action to items on the agenda (5 ILCS 120/2.02(c). added by P.A. 97-827, eff. 1-1-2013); it states that the validity of any action taken "which is germane to a subject on the agenda shall not be affected by other errors or omissions in the agenda," (5 ILCS 120/2.02(a)). For agenda requirements, see policy 2:220, *School Board Meeting Procedure*.

20 5 ILCS 120/2.02(a).

21 Required *only if* the district has a website that is maintained by a full-time staff member; if not, this section may be omitted (5 ILCS 120/2.02). Note that 5 ILCS 120/2.02(b) requires that a notice of *all* meetings be posted on the district website, but only notices of *regular* meetings must remain posted until the *regular* meeting is concluded. As this is an obvious oversight, it is wise to leave the notice of every meeting on the website until after the meeting occurred. The agenda must remain on the district website until the meeting is concluded (Id.).

Meeting Type	Public Notice	Notice to Board Members	Agenda	Notice to News Media	District Website ¹
	practicable before the meeting. 5 ILCS 120/2.02.	meeting.			
Closed	May hold a closed meeting, or close a portion of an open meeting, upon a majority vote of a quorum present, taken at a properly noticed open meeting. 5 ILCS 120/2a.	None required.	None required, but only topics specified in the vote to hold the closed meeting may be considered. 5 ILCS 120/2a.	No additional notice required.	Post a public notice. 5 ILCS 120/2.02.
Rescheduled or Reconvened	Post a notice at the District's main office or, if no main office exists, at the meeting site at least 48 hours before the meeting. No notice is needed when an open meeting is reconvened within 24 hours, or when the time and place of a reconvened meeting was announced at the original meeting and the agenda is not changed. 5 ILCS 120/2.02.	None required.	Included with any public notice.	Same as for a special meeting.	Post a public notice. 5 ILCS 120/2.02.

School Board

Organizational School Board Meeting

During a March meeting in odd-numbered years, the School Board establishes a date for its organizational meeting to be held sometime after the election authority canvasses the vote, but within 28 days after the consolidated election. The consolidated election is held on the first Tuesday in April of odd-numbered years.

At the organizational meeting the following shall occur:

1. Each successful candidate, before taking his or her seat on the Board, shall take the oath of office as provided in Board policy 2:80, *Board Member Oath and Conduct*.
2. The new Board members shall be seated.
3. The Board shall elect its officers who assume office immediately upon their election.
4. The Board shall fix a time and date for its regular meetings.

LEGAL REF.: 10 ILCS 5/2A-1 et seq.
105 ILCS 5/10-5, 5/10-16, and 105 ILCS 5/10-16.5.

CROSS REF.: 2:30 (School District Elections), 2:110 (Qualifications, Term, and Duties of Board Officers), 2:200 (Types of School Board Meetings), 2:220 (School Board Meeting Procedure), 2:230 (Public Participation at School Board Meetings and Petitions to the Board)

School Board

School Board Meeting Procedure

Agenda

The School Board President is responsible for focusing the Board meetings' agendas on appropriate content. The Superintendent shall prepare agendas in consultation with the Board President. The President shall designate a portion of the agenda as a consent agenda for those items that usually do not require discussion or explanation before School Board action. Upon the request of any board member, an item will be withdrawn from the consent agenda for independent consideration.

Each Board meeting agenda shall contain the general subject matter of any item that will be the subject of final action at the meeting. Any Board Member may submit suggested agenda items to the Board President for his or her consideration. District residents may suggest inclusions on the agenda. The Board will take final action only on items contained in the posted agenda; items not on the agenda may still be discussed.

The Superintendent shall provide a copy of the agenda, with adequate data and background information, to each School Board member at least 48 hours before each meeting, except a meeting held in the event of an emergency. The meeting agenda shall be posted in accordance with Board policy 2:200, *Types of School Board Meetings*.

The Board President shall determine the order of business at regular Board meetings. Upon consent of a majority of members present, the order of business at any meeting may be changed.

Voting Method

Unless otherwise provided by law, when a vote is taken upon any measure before the School Board, with a quorum being present, a majority of the votes cast shall determine its outcome. A vote of "abstain" or "present," or a vote other than "yea" or "nay", or failure to vote, is counted for the purposes of determining whether a quorum is present. A vote of "abstain" or "present," or a vote other than "yea" or "nay," or a failure to vote, however, is not counted in determining whether a measure has been passed by the Board, unless otherwise stated in law. The sequence for casting votes is rotated.

On all questions involving the expenditure of money and on all questions involving the closing of a meeting to the public, a roll call vote shall be taken and entered in the Board's minutes. An individual Board member may request that a roll call vote be taken on any other matter; the President or other presiding officer may approve or deny the request but a denial is subject to being overturned by a majority vote of the members present.

Minutes

The Board Secretary shall keep written minutes of all School Board meetings (whether open or closed), which shall be signed by the President and the Secretary.

The minutes include:

1. The meeting's date, time, and place;
2. Board members recorded as either present or absent;
3. A summary of the discussion on all matters proposed, deliberated, or decided, and a record of any votes taken;
4. On all matters requiring a roll call vote, a record of who voted "yea" and "nay";
5. If the meeting is adjourned to another date, the time and place of the adjourned meeting;
6. The vote of each member present when a vote is taken to hold a closed meeting or portion of a meeting, and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act authorizing the closed meeting;
7. A record of all motions, including individuals making and seconding motions;
8. Upon request by a Board member, a record of how he or she voted on a particular motion; and
9. The type of meeting, including any notices and, if a reconvened meeting, the original meeting's date.

The minutes shall be submitted to the Board for approval or modification at its next regularly scheduled open meeting. Minutes for open meetings must be approved within 30 days after the meeting or at the second subsequent regular meeting, whichever is later.

At least semi-annually in an open meeting, the Board: (1) reviews minutes from all closed meetings that are currently unavailable for public release, and (2) decides which, if any, no longer require confidential treatment and shall be available for public inspection. The Board may meet in a prior closed session to review the minutes from closed meetings that are currently unavailable for public release.

The School Board's minutes must be submitted to the Board Treasurer on the first Monday of April and October, and at other times as the Treasurer may require.

The official minutes are in the custody of the Board Secretary. Open meetings' minutes are available for inspection during regular office hours within ten days after the Board's approval, they may be inspected in the District's main office, in the presence of the Secretary, the Superintendent or designee, or any Board member.

Minutes from closed meetings are likewise available, but only if the Board has released them for public inspection, except that Board members may access closed session minutes not yet released for public inspection (1) in the District's administrative offices or their official storage location, and (2) in the presence of the Recording Secretary, the Superintendent or designated administrator, or any elected Board member. The minutes, whether reviewed by members of the public or the Board, shall not be removed from the District's administrative offices or their official storage location except by vote of the Board or by court order.

The Board's open meeting minutes shall be posted on the District website within 7 days after the Board approves them; the minutes will remain posted for at least 60 days.

Verbatim Record of Closed Meetings

The Superintendent, or the Board Secretary when the Superintendent is absent, shall audio record all closed meetings. If neither is present, the Board President or presiding officer shall assume this responsibility. After the closed meeting, the person making the audio recording shall label the recording with the date and store it in a secure location. The Superintendent shall ensure that: (1) an audio recording device and all necessary accompanying items are available to the Board for every closed meeting, and (2) a secure location for storing meeting audio recordings is maintained close to the Board's regular meeting location.

After 18 months have passed since being made, the audio recording of a closed meeting is destroyed provided the Board approved: (1) its destruction, and (2) minutes of the particular closed meeting.

Individual Board members may listen to verbatim recordings in the presence of the Recording Secretary, the Superintendent or designated administrator, or any elected Board member. Access to the verbatim recordings is available at the District's administrative offices or the verbatim recording's official storage location. Requests shall be made to the Superintendent or Board President. While a Board member is listening to a verbatim recording, it shall not be re-recorded or removed from the District's main office or official storage location, except by vote of the Board or by court order.

Before making such requests, Board members should consider whether such requests are germane to their responsibilities, service to District, and/or Oath of Office in policy 2:80, *Board Member Oath and Conduct*. In the interest of encouraging free and open expression by Board members during closed meetings, the recordings of closed meetings should not be used by Board members to confirm or dispute the accuracy of recollections.

Quorum and Participation by Audio or Video Means

A quorum of the Board must be physically present at all Board meetings. A majority of the full membership of the School Board shall constitute a quorum.

Provided a quorum is physically present, a Board member may attend a meeting by video or audio conference if he or she is prevented from physically attending because of: (1) personal illness or disability, (2) employment or District business, or (3) a family or other emergency. If a member wishes to attend a meeting by video or audio means, he or she must notify the recording secretary or Superintendent at least 24 hours before the meeting unless advance notice is impractical. The recording secretary or Superintendent will inform the Board President and make appropriate arrangements. A Board member who attends a meeting by audio or video means, as provided in this policy, may participate in all aspects of the Board meeting including voting on any item.

Rules of Order

Unless State law or Board-adopted rules apply, the Board President, as the presiding officer, will use Robert's Rules of Order Newly Revised (10th Edition), as a guide when a question arises concerning procedure.

Broadcasting and Recording Board Meetings

Any person may record or broadcast an open School Board meeting. Special requests to facilitate recording or broadcasting an open Board meeting, such as seating, writing surfaces, lighting, and access to electrical power, should be directed to the Superintendent at least 24 hours before the meeting.

Recording meetings shall not distract or disturb Board members, other meeting participants, or members of the public. The Board President may designate a location for recording equipment, may restrict the movements of individuals who are using recording equipment, or may take such other steps as are deemed necessary to preserve decorum and facilitate the meeting.

LEGAL REF.: 5 ILCS 120/2a, 120/2.02, 120/2.05, and 120/2.06.
105 ILCS 5/10-6, 5/10-7, 5/10-12, and 5/10-16.

CROSS REF.: 2:80 (Board Member Oath and Conduct), 2:200 (Types of School Board Meetings), 2:150 (Committees), 2:210 (Organizational School Board Meeting), 2:230 (Public Participation at School Board Meetings and Petitions to the Board)

School Board

Exhibit - Board Treatment of Closed Meeting Verbatim Records and Minutes

The following procedures govern the verbatim audio recordings and minutes of School Board meetings that are closed to the public.

Actor	Action
<p><i>Before any Board meeting:</i> Superintendent or designee</p>	<p>Arranges to have an audio recording device with extra recording tapes and a back-up audio recording device in the Board meeting room during every Board meeting regardless of whether a closed meeting is scheduled.</p> <p style="padding-left: 40px;">The Board may close a portion of a public meeting without prior notice; it cannot, however, have a closed meeting unless it can record the session.</p>
<p><i>Before a closed meeting:</i> Board President or presiding officer</p>	<p>On the closed meeting date: (1) convenes an open meeting, (2) requests a motion to adjourn into closed meeting making sure the reason for the meeting is identified in the motion, (3) takes a roll call vote, (4) asks that the minutes record the vote of each member present and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act authorizing the closed meeting (5 ILCS 120/2a), and (5) adjourns the open meeting.</p>
<p><i>Before a closed meeting:</i> Superintendent or Board Secretary</p>	<p>Immediately before a closed meeting, tests and activates the audio recording device.</p>
<p><i>During a closed meeting:</i> Board President or presiding officer</p>	<p>Convenes the closed meeting stating:</p> <p style="padding-left: 40px;">Seeing a quorum of the Board of Education gathered today, ___ date, at ___ o'clock, at ___ location, for the purpose of holding a closed meeting in order to confidentially discuss ___, I call the meeting to order. In order to record who is present, I request that each individual state his or her name and position with the District.</p> <p>Limits discussion to the topics that were included in the motion to go into a closed meeting.</p> <p style="padding-left: 40px;">The failure to immediately call a person out-of-order who strays from the purposes included in the motion may result in an appearance of acquiescence. This responsibility to</p>

Actor	Action
	<p>call a person out-of-order falls on each Board member in the event of the President's failure. ¹</p> <p>Once the closed meeting is finished, announces a return to an open meeting or adjournment, and states the time.</p>
<p><i>After a closed meeting:</i> Superintendent or Board Secretary</p>	<p>Takes possession of the audio recording of the closed meeting and labels it with identification information, specifically the date and items discussed.</p> <p>Adds the identification information contained on the audio recording's label to a cumulative list of closed meeting recordings.</p> <p>As soon as possible, puts the recording of the closed meeting in the previously identified secure location for storing recordings of closed meetings.</p> <p>Prepares written closed meeting minutes that include:</p> <ul style="list-style-type: none"> • The date, time, and place of the closed meeting • The Board members present and absent • A summary of discussion on all matters proposed or discussed • The time the closed meeting was adjourned
<p><i>After a closed meeting:</i> School Board</p>	<p>Approves the previous closed meeting minutes at the next open meeting.</p>
<p><i>In preparation for the semi-annual review:</i> Superintendent or designee</p>	<p>Prepares a recommendation concerning the continued need for confidential treatment of closed meeting minutes; includes this recommendation in the packet for the meeting in which the Board will conduct its semi-annual review.</p> <p>This step is in preparation of the Board's meeting to decide whether the need for confidential treatment of specific closed meeting minutes continues to exist.</p> <p>If the Board wants to discuss closed meeting minutes in closed session, places "review of unreleased closed meeting minutes" on a closed meeting agenda.</p> <p>Places "result of Board's review of unreleased closed meeting minutes" as an item on a subsequent open meeting agenda.</p>
<p><i>In preparation for the semi-annual review:</i> Individual Board Members</p>	<p>Before the meeting in which the Board will conduct its semi-annual review, examines the material supplied by the Superintendent.</p>

¹ A violation of the Open Meetings Act is a Class C misdemeanor (5 ILCS 120/4) punishable by a fine of up to \$1500 and imprisonment for up to 30 days (720 ILCS 5/8/3, 5-9-1).

Actor	Action
	Individual Board members should consider: (1) the Superintendent's recommendation, (2) the recommendation of the Board Attorney, (3) other Board members' opinions, (4) the minutes themselves, and/or (5) whether the minutes would be exempted from public disclosure under the Illinois Freedom of Information Act.
<i>During the semi-annual review:</i> School Board	The Board decides in open session whether: (1) the need for confidentiality still exists as to all or part of closed meeting minutes, or (2) the minutes or portions thereof no longer require confidential treatment and are available for public inspection. The Board may have an earlier meeting in closed session to discuss the continued need for confidential treatment.
<i>After the semi-annual review:</i> Superintendent or designee	Re-labels and re-files closed meeting minutes as appropriate.
<i>Monthly:</i> Board President	Adds "destruction of closed meeting audio recording" as an agenda item to an upcoming open meeting.
<i>Monthly:</i> School Board	Approves the destruction of particular closed meeting recording(s) that are at least 18 months old and for which approved minutes of the closed meeting already exist.

LEGAL REF.: 5 ILCS 120/1 et seq.

School Board

Exhibit - Motion to Adjourn to Closed Meeting

Motion to Adjourn to Closed Meeting

Date: _____

Time: _____

Location: _____

A motion was made by _____, and seconded by _____, to adjourn to closed meeting to discuss:

- The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the District or legal counsel for the District, including hearing testimony on a complaint lodged against an employee or against legal counsel for the District to determine its validity. 5 ILCS 120/2(c)(1).
- Collective negotiating matters between the District and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2).
- The selection of a person to fill a public office, including a vacancy in a public office, when the District is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the District is given power to remove the occupant under law or ordinance. 5 ILCS 120/2(c)(3).
- Evidence or testimony presented in open hearing, or in closed hearing where authorized by law, to a quasi-adjudicative body, as defined in the Open Meetings Act, provided that the body prepares and makes available for public inspection a written decision with its determinative reasoning. 5 ILCS 120/2(c)(4).
- The purchase or lease of real property for the use of the District, including meetings held for the purpose of discussing whether a particular parcel should be acquired. 5 ILCS 120/2(c)(5).
- The setting of a price for sale or lease of property owned by the District. 5 ILCS 120/2(c)(6).
- The sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).
- Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property. 5 ILCS 120/2(c)(8).
- Student disciplinary cases. 5 ILCS 120/2(c)(9).
- The placement of individual students in special education programs and other matters relating to individual students. 5 ILCS 120/2(c)(10).
- Litigation, when an action against, affecting or on behalf of the particular District has been filed and is pending before a court or administrative tribunal, or when the District finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the closed meeting minutes. 5 ILCS 120/2(c)(11).
- The establishment of reserves or settlement of claims as provided in the Local Government and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the District or any intergovernmental risk management association or self insurance pool of which the District is a member. 5 ILCS 120/2(c)(12).
- Self-evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the District is a member. 5 ILCS 120/2(c)(16).
- Discussion of minutes of meetings lawfully closed, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. 5 ILCS 120/2(c)(21).

Closed Meeting Roll Call:

“Yeas”	“Nays”

Motion: Carried Failed

School Board

Exhibit - Closed Meeting Minutes

Closed Meeting Minutes

Date: _____ Time: _____

Location: _____

Name of person(s) taking and recording the minutes: _____

Name of person presiding: _____

Members in attendance:

Members absent:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

- 1.
- 2.
- 3.

Summary of the discussion on all matters:

Time of adjournment or return to open meeting:

The School Board, during its semi-annual review of closed session minutes, has decided these minutes no longer need confidential treatment.

These minutes are available for public inspection as of: _____
(Date)

School Board

Exhibit - Open Meeting Minutes

Meeting Minutes Protocol

1. Meeting minutes are the permanent record of the proceedings during a School Board meeting. All Board action must be recorded in the minutes; thus, the minutes focus on Board action.
2. The minutes only include information provided at the meeting. Information may not be corrected or updated in the minutes unless it was discussed at the meeting.
3. Minutes include a summary of the Board's discussion on an agenda topic; the minutes do not state what is said verbatim. The minutes do not repeat the same point made by different individuals. If appropriate, the minutes include a brief background and an explanation of the circumstances surrounding an issue discussed. The minutes do not include the names of members making specific points during discussion. Requests from individual Board members to include their vote or an opinion are handled according to Board policy 2:220, *School Board Meeting Procedure*.
4. The minutes include the topic of reports that are made to the Board including reports from the Superintendent or a Board committee. Written reports are filed with the minutes but do not become part of the minutes.
5. The minutes note when a member is not present for the entire meeting due to late arrival and/or early departure.
6. Although items may be considered by the Board in a different order than appeared on the agenda, items in the minutes are generally recorded in the same order as they appeared on the agenda. When a meeting is reconvened on a different date, the minutes must describe what happened on each meeting date.
7. The minutes should be recorded in an objective but positive/constructive tone. Answers and explanations, rather than questions, are recorded. Writing style, including choice of words and sentence structure, is at the discretion of the individual recording the minutes.
8. The minutes include individuals' names who speak during the meeting's public participation segment as well as the topics they address. All written documents presented at a Board meeting are filed with the minutes but do not become part of the minutes.
9. The following template generally governs meeting minutes.

Open Meeting Minutes

Date: _____ Time: _____

Location: _____

Type of meeting: Regular Special Reconvened or rescheduled Emergency

Name of person taking the minutes: _____

Name of person presiding: _____

Members in attendance:

Members absent:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

- 1.
- 2.
- 3.

Approval of Agenda

List any items removed from the consent agenda:

Motion made by: _____

Motion: To approve

To add items as follows(*No action may be taken on new agenda items.*)

Motion seconded by: _____

Action: Passed Failed

Approval of Previous Meeting Minutes (*only if this item is not on the consent agenda.*)

Minutes from the Board meeting held on: _____

Motion made by: _____

Motion: To approve

To approve subject to incorporation of the following amendment(s):

Motion seconded by: _____

Action: Passed Failed

Approval of Items on Consent Agenda

Summary of discussion:

Motion to approve the consent agenda made by: _____

Motion seconded by: _____

Roll Call: (*Needed when an item involving the expenditure of money.*)

“Yeas”

“Nays”

Action: Passed Failed

Public Comments *(Reproduce this section for each individual making a comment.)*

The following individual appeared and commented on the topic noted below: *(Include the title of any documents presented to the Board.)*

Name: _____

Topic: _____

Remaining Agenda Items *(Reproduce this section for each agenda item.)*

Agenda item: _____

Summary of discussion: _____

Motion made by: _____

Motion to: _____

Motion seconded by: _____

Action: Passed Failed

(If a roll call vote occurred, record the vote of individual Board members.)

“Yeas”

“Nays”

If Applicable, Approval of Motion to Adjourn to Closed Meeting *(Insert 2:220-E2)*

Approval of Motion to Adjourn

Motion to adjourn made by: _____

Motion seconded by: _____

Action: Passed Failed

Time of adjournment: _____

Post-Meeting Action

Date minutes approved: _____

Date minutes were available for public inspection: _____

Date minutes were posted on District website: _____

School Board

Exhibit - Semi-Annual Review of Closed Meeting Minutes

Logging and Review Process

- Step 1. The Board Secretary or Recording Secretary maintains a log of the closed meeting minutes that are unavailable for public inspection. The meeting minutes are logged according to the reason the Board held the closed meeting. 2:220-E6, *Log of Closed Meeting Minutes*.
- Step 2. The Board meets in closed session to review the log of unreleased closed meeting minutes. The Board or Recording Secretary brings a copy of all unreleased closed meeting minutes and, if requested, allows Board members to review the actual minutes. The Board identifies which closed meeting minutes or portions thereof no longer need confidential treatment. Use *Report Following the Board's Semi-Annual Review of Closed Meeting Minutes*, below.
- Step 3. At least semi-annually in an open meeting, the Board takes action to release for public inspection those minutes, or portions thereof, no longer needing confidential treatment. Use *Action to Accept*, below. Closed meeting minutes will not be released for public inspection if confidential treatment is needed to protect the public interest or the privacy of an individual, including: (1) student disciplinary cases or other matters relating to an individual student, and (2) personnel files and employees' and Board members' personal information.
- Step 4. The Board or Recording Secretary: (1) updates the log of unreleased closed meeting minutes to remove any minutes that the Board made available for public inspection; (2) makes a notation on any applicable closed meeting minutes of the Board's action to release it or a portion of it for public inspection; and (3) continues to log new closed meeting minutes that the Board has not released for public inspection. 2:220-E6, *Log of Closed Meeting Minutes*.

Report Following the Board's Semi-Annual Review of Closed Meeting Minutes

The School Board met on _____ in closed session to conduct its semi-annual review of closed meeting minutes that have not been released for public inspection.

The closed meeting minutes, or portions thereof, from the following dates no longer require confidential treatment: *(insert closed meeting dates)*

The need for confidentiality still exists as to all remaining closed meeting minutes to protect an individual's privacy or the District's interests.

Action to Accept the Board's Semi-Annual Review of Closed Meeting Minutes

Open meeting date: _____

Motion to approve the Board's semi-annual review of unreleased closed meeting minutes and to release for public inspection those minutes, or portions thereof, that the Board identified as no longer needing confidential treatment made by: _____

Motion seconded by: _____

Action: Passed Failed

School Board

Exhibit - Log of Closed Meeting Minutes

The purpose of this log is to facilitate the Board's semi-annual review of closed meeting minutes. See 2:220-E5, *Semi-Annual Review of Closed Meeting Minutes*.

The Board Secretary or Recording Secretary shall maintain a list of closed meeting minutes, arranged according to the reason for the closed meeting, that have not been released for public inspection.

Closed Session Held to Discuss:	Dates of Closed Sessions		
Specific employee(s) or District legal counsel. 5 ILCS 120/2(c)(1).			
Collective negotiating matters or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2).			
Selection of a person to fill a vacancy on the Board. 5 ILCS 120/2(c)(3).			
Evidence or testimony presented in a hearing where authorized by law. 5 ILCS 120/2(c)(4).			
Purchase or lease of real property. 5 ILCS 120/2(c)(5).			
Setting of a price for sale or lease of District property. 5 ILCS 120/2(c)(6).			
Sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).			
Security procedures and the use of			

Closed Session Held to Discuss:	Dates of Closed Sessions		
personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger. 5 ILCS 120/2(c)(8).			
Student disciplinary cases. 5 ILCS 120/2(c)(9). <i>Minutes of meetings held for this reason shall never be released to protect the individual student's privacy.</i>			
Any matter involving an individual student. 5 ILCS 120/2(c)(10). <i>Minutes of meetings held for this reason shall never be released to protect the individual student's privacy.</i>			
Litigation, when an action against, affecting, or on behalf of the District has been filed and is pending before a court or administrative tribunal, or when the Board finds that an action is probable or imminent. 5 ILCS 120/2(c)(11).			
Establishment of reserves or settlement of claims as provided in the Local Government and Governmental Employees Tort Immunity Act or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the District or any intergovernmental risk management association or self insurance pool. 5 ILCS 120/2(c)(12).			
Self-evaluation, practices and procedures or professional ethics, when meeting with an IASB representative. 5 ILCS 120/2(c)(16).			
Minutes of meetings lawfully closed, whether for purposes of approval or semi-annual review. 5 ILCS 120/2(c)(21).			

School Board

Public Participation at School Board Meetings and Petitions to the Board

At each regular and special open meeting, the members of the public and District employees may comment on or ask questions of the Board, subject to reasonable constraints.

The individuals appearing before the Board are expected to follow these guidelines:

1. Address the Board only at the appropriate time as indicated on the agenda and when recognized by the Board President.
2. Identify oneself and be brief. Ordinarily, comments shall be limited to 5 minutes. In unusual circumstances, and when an individual has made a request in advance to speak for a longer period of time, the individual may be allowed to speak for more than 5 minutes.
3. The Board President may shorten or lengthen an individual's opportunity to speak. The President may also deny an individual the opportunity if the individual has previously addressed the Board on the same subject within the past 2 months.
4. The Board President shall have the authority to determine procedural matters regarding public participation not otherwise defined in Board policy.
5. Conduct oneself with respect and civility toward others and otherwise abide by Board policy, 8:30, *Visitors to and Conduct on School Property*.

Petitions or written correspondence to the Board shall be presented to the Board at the next regularly scheduled Board meeting.

LEGAL REF.: 105 ILCS 5/10-6 and 5/10-16.

CROSS REF.: 2:220 (School Board Meeting Procedure)

School Board

Board Policy Development

The School Board governs using written policies. Written policies ensure legal compliance, establish board processes, articulate District ends, delegate authority, and define operating limits. Board policies also provide the process for monitoring progress toward District ends.

Policy Development

Anyone may propose new policies, changes to existing policies, or deletion of existing policies. Staff suggestions should be processed through the Superintendent. Suggestions from all others may be made to the Board President or the Superintendent.

A Board Policy Committee will consider all policy suggestions, and provide information and recommendations to the Board.

The Superintendent is responsible for: (1) providing relevant policy information and data to the Board, (2) notifying those who will implement or be affected by or required to implement a proposed policy and obtaining their advice and suggestions, and (3) having policy recommendations drafted into written form for Board deliberation. The Superintendent shall seek the counsel of the Board attorney when appropriate.

Policy Adoption and Dissemination

Policies or policy revisions will not be adopted at the Board meeting at which they are first introduced, except when: (1) appropriate for a consent agenda because no Board discussion is required, or (2) necessary or prudent in order to meet emergency or special conditions or to be legally compliant. Further Board consideration will be given at a subsequent meeting(s) and after opportunity for community input. The adoption of a policy will service to supersede all previously adopted policies on the same topic.

The Board policies are available for public inspection in the District's main office during regular office hours. Copy requests should be made pursuant to Board policy 2:250, *Access to District Public Records*.

Board Policy Review and Evaluation

The Board will periodically review its policies for relevancy, monitor its policies for effectiveness, and consider whether any modifications are required. The Board may use an annual policy review calendar.

Superintendent Implementation

The Board will support any reasonable interpretation of Board policy made by the Superintendent. If reasonable minds differ, the Board will review the applicable policy and consider the need for further clarification.

In the absence of Board policy, the Superintendent is authorized to take appropriate action.

Suspension of Policies

The Board, by a majority vote of members present at any meeting, may temporarily suspend a Board policy, except those provisions that are controlled by law or contract. The failure to suspend with a specific motion does not invalidate the Board action.

LEGAL REF.: 105 ILCS 5/10-20.5.

CROSS REF.: 2:150 (Committees), 2:250 (Access to District Public Records), 3:40 (Superintendent)

School Board

Exhibit - PRESS Issue Updates

This procedure is for **PRESS** subscribers. For subscribers to **PRESS Plus**, IASB's full-maintenance policy update service, the update instructions that arrive with a paid **PRESS Plus** subscription provide further guidance.

Actor	Action
Superintendent	<p>Manages the process for the Board to receive PRESS updates to policies.</p> <p>Manages the Board's compliance with the Open Meetings Act. Ensures that, as appropriate, the agendas for the Board Policy Committee and School Board include discussion and list action to consider, adopt, or revise Board policies and Board exhibits.</p> <p>Manages the process for approving new or revised administrative procedures, administrative procedure exhibits, and changes to employee and student handbooks.</p> <p>Communicates all policy and administrative procedure revisions or adoptions, as appropriate, to staff members, parents, students, and community members.</p>
Superintendent or Superintendent's Secretary	<p>Updates District's <i>Roster</i> as follows:</p> <ol style="list-style-type: none"> 1. Go to www.iasb.com and click on MY ACCOUNT. 2. Log in using your email address and password: <ul style="list-style-type: none"> • If you are signing in for the first time, your password is the 7-digit IASB ID number beginning with "2" that appears on all IASB mailing labels. • If you have already changed your password, use the unique password you created. • If you do not know your password, use the <i>forgot password</i> link. 3. Click on districts you manage and then the District name. 4. Review and verify or change the District's existing records. Ensure that all current board members, administrators, and anyone else on staff who accesses PRESS are listed with their current email addresses.
Policy Committee (or Full Board)	<p>Considers each PRESS update. Reviews all footnote changes.</p> <p>Decides which changes require School Board discussion and which are appropriate as consent agenda items.</p> <p>The following are appropriate for the consent agenda: changes to the Legal References and Cross References, and minor policy edits that do not require Board discussion.</p> <p>Requests review of recommended revisions by the Board Attorney, as appropriate.</p> <p>Presents recommendations regarding PRESS updates to the Board at a regularly scheduled meeting.</p>

Actor	Action
Full Board	<p>Conducts a first reading of the policies that are recommended to be updated.</p> <p>During the next regular meeting, conducts a second reading.</p> <p style="padding-left: 40px;">A second reading allows the Board to hear feedback from interested parties, including staff, parents, students, and community members; however, State law does not require two readings.</p> <p>After the second reading, consider and take action to approve the policies at a duly convened open meeting.</p>
Assistant Superintendents, Directors, Building Principals, and supervisory employees	<p>Reads PRESS Update Memo (if applicable), adopted policies and follows the Superintendent’s process for updating administrative procedures, and changes to employee and student handbooks within their assigned building(s).</p>
Anyone	<p>For further clarification, view the online tutorial for PRESS, available at www.iasb.com/policy.</p>

School Board

Exhibit - Developing Local Policy

Actor	Action
Anyone (Superintendent, School Board member, staff, parent, student, community member, or Board Attorney)	Brings a concern that may necessitate a new policy or a current policy's revision to the attention of the School Board.
Superintendent	<p>Confers with the Board Attorney as appropriate.</p> <p>Manages the Board's compliance with the Open Meetings Act.</p> <p>Ensures that, as appropriate, the agendas for the Board Policy Committee and School Board include discussion and action to consider, adopt, or revise Board policies.</p> <p>Manages the process for approving new or revised administrative procedures, and revisions to employee and student handbooks.</p> <p>Communicates all policy and procedure revisions or adoptions as appropriate to staff members, parents, students, and community members.</p>
Policy Committee (or Full Board)	<p>First, answers these questions to decide whether new policy language is needed:</p> <ol style="list-style-type: none"> 1. Does the IASB Policy Reference Manual provide guidance? 2. Is the request something that should be covered in policy (i.e., Board work) or is it something that should be handled by the staff (i.e., staff work)? 3. Is it already covered in policy? Checks for policies that cover similar or connected topics using tools such as search engines, Tables of Contents, cross references, and indexes. <p>Second, uses a 4-step process to draft new policy language:</p> <ol style="list-style-type: none"> 1. Frames the question and discusses the topic. 2. Requests the Superintendent to provide research, including appropriate data, and input from others, such as, those who may be affected by the policy and those who will implement the policy. 3. Assesses existing policy and decides whether new or revised policy language is needed. 4. Drafts or requests the Superintendent or Board Attorney to draft language addressing the concern that aligns with the Board's mission, vision, goals, and objectives. <p>Third, decides whether the new language should be included in an existing policy or added as a new policy. Assigns any new policy an appropriate location and number.</p> <p>The PRESS coding system reserves policy numbers ending in a '0' and '5' for PRESS material. Locally-developed District policies should use policy numbers ending in 2, 4, 6, or 8.</p>
Full Board	Conducts a first reading of the policy that is recommended for adoption or revision.

Actor	Action
	<p>During the next regular meeting, conducts a second reading.</p> <p>A second reading allows the Board to hear feedback from interested parties, including staff, parents, students, and community members; however, State law does not require two readings.</p> <p>After the second reading, consider and take action to approve the policies at a duly convened open meeting.</p>
Designated support staff	<p>After a policy is adopted or revised, updates the District’s policy manual master electronic file and adds adoption dates.</p> <p>Archives previous version of revised policy.</p> <p>Follows district process for updating paper and online manuals.</p>
Assistant Superintendents, Directors, Building Principals, and supervisory employees	<p>Reads PRESS Update Memo (if applicable) and adopted policies and follows the Superintendent’s process for updating administrative procedures, and changes to employee and student handbooks within their assigned building(s).</p>

School Board

Access to District's Public Records

Full access to the District's *public records* is available to any person as provided in the Illinois Freedom of Information Act (FOIA), this policy, and implementing procedures. The Superintendent or designee shall: (1) provide the Board with sufficient information and data to permit the Board to monitor the District's compliance with FOIA and this policy, and (2) report any FOIA requests during the Board's regular meetings along with the status of the District's response.

Freedom of Information Officer

The Superintendent shall serve as the District's Freedom of Information Officer and assumes all the duties and powers of that office as provided in FOIA and this policy. The Superintendent may delegate these duties and powers to one or more designees, but the delegation shall not relieve the Superintendent of the responsibility for the action that was delegated. The Superintendent or designee(s) shall report any FOIA requests and the status of the District's response to the Board at each regular Board meeting.

Definition

The District's *public records* are defined as records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of the School District.

Requesting Records

A request for inspection and/or copies of public records must be made in writing and may be submitted by personal delivery, mail, telefax, or email directed to the District's Freedom of Information Officer. Individuals making a request are not required to state a reason for the request other than to identify when the request is for a commercial purpose or when requesting a fee waiver. The Superintendent or designee shall instruct District employees to immediately forward any request for inspection and copying of a public record to the District's Freedom of Information Officer or designee.

Responding to Requests

The Freedom of Information Officer shall approve all requests for public records unless:

1. The requested material does not exist;
2. The requested material is exempt from inspection and copying by the Freedom of Information Act; or
3. Complying with the request would be unduly burdensome.

Within 5 business days after receipt of a request for access to a public record, the Freedom of Information Officer shall comply with or deny the request, unless the time for response is extended as specified in Section 3 of FOIA. The Freedom of Information Officer may extend

the time for a response for up to 5 business days from the original due date. If an extension is needed, the Freedom of Information Officer shall: (1) notify the person making the request of the reason for the extension, and (2) either inform the person of the date on which a response will be made or agree with the person in writing on a compliance period.

The time periods are extended for responding to requests for records made for a *commercial purpose, requests by a recurrent requestor, or voluminous requests*, as those terms are defined in Section 2 of the FOIA. The time periods for responding to those requests are governed by Sections 3.1 and 3.2 of the FOIA. When responding to a request for a record containing both exempt and non-exempt material, the Freedom of Information Officer shall redact exempt material from the record before complying with the request.

Copying Fees

Persons making a request for copies of public records must pay any and all applicable fees. The Freedom of Information Officer shall establish a fee schedule that complies with the FOIA and this policy and is subject to the Board's review. The fee schedule shall include copying fees and all other fees to the maximum extent they are permitted by FOIA, including without limitation, search and review fees for responding to a request for a *commercial purpose* and fees, costs, and personnel hours in connection with responding to a *voluminous request*. Copying fees, except when fixed by statute, shall be reasonably calculated to reimburse the District's actual cost for reproducing and certifying public records and for the use, by any person, of its equipment to copy records. In no case shall the copying fees exceed the maximum permitted by FOIA. If the District's actual copying costs are equal to or greater than the maximum fees permitted by FOIA, the Freedom of Information Officer is authorized to use FOIA's maximum fees as the District's fees. No fees shall be charged for: (1) the first 50 pages of black and white, letter or legal sized copies, or (2) electronic copies other than the actual cost of the recording medium, except if the response is to a *voluminous request*, as defined in the FOIA.

A fee reduction is available if the request qualifies under Section 6 of the FOIA. The Freedom of Information Officer shall set the amount of the reduction taking into consideration the amount of material requested and the cost of copying it.

Provision of Copies and Access to Records

A public record that is the subject of an approved access request will be available for inspection or copying at the District's administrative office during regular business hours, unless other arrangements are made by the Freedom of Information Officer.

Many public records are immediately available from the District's website including, but not limited to, the process for requesting a public record. The Freedom of Information Officer shall direct a requester to the District's website if a requested record is available there. If the requester is unable to reasonably access the record online, he or she may resubmit the request for the record, stating his or her inability to reasonably access the record online, and the District shall make the requested record available for inspection and copying as otherwise provided in this policy.

Preserving Public Records

Public records, including email messages, shall be preserved and cataloged if: (1) they are evidence of the District's organization, function, policies, procedures, or activities, (2) they contain informational data appropriate for preservation, (3) their retention is required by State or federal law, or (4) they are subject to a retention request by the Board Attorney (e.g. a litigation hold), District auditor, or other individual authorized by the School Board or State or federal law to make such a request. Unless its retention is required as described in items numbered 3 or 4 above, a public record, as defined by the Illinois Local Records Act, may be destroyed when authorized by the Local Records Commission.

LEGAL REF.: 5 ILCS 140/, Illinois Freedom of Information Act.
105 ILCS 5/10-16.
820 ILCS 130/5.

CROSS REF.: 2:140 (Communications To and From the Board), 5:150 (Personnel Records), 7:340 (Student Records)

School Board

Administrative Procedure - Access to and Copying of District Public Records

Actor	Action
School Board	<p>Appoints, or designates the Superintendent to appoint, a Freedom of Information Officer to perform the duties of that office as specified in the Freedom of Information Act (FOIA) and is responsible for managing the District's compliance with FOIA.</p> <p>Determines from time-to-time by Board resolution:</p> <ol style="list-style-type: none"> 1. Copying fees that are reasonably calculated to reimburse the District for the actual costs of reproducing and certifying the records. 2. The amount by which copy fees will be reduced if the person making the request states a specific purpose for the request that is in the public interest (5 ILCS 140/6). A request is in the <i>public interest</i> if its purpose is to access and disseminate information regarding the health, safety and welfare, or the legal rights of the general public, and is not for the principal purpose of personal or commercial benefit. In setting the reduction, the Board may consider the amount of materials requested and the cost of copying them. <p>Monitors full compliance with FOIA and Board policy 2:250, <i>Access to District Public Records</i>.</p> <p>Budgets sufficient resources to enable full compliance with FOIA.</p> <p>Receives the report from the Superintendent during regular meetings concerning each FOIA request and the status of the District's response. 105 ILCS 5/10-16.</p>
Freedom of Information Officer	<p><u>Manages FOIA compliance</u></p> <p>Manages the District's compliance with FOIA, 5 ILCS 140/, and performs the following duties as specified in FOIA, 5 ILCS 140/3.5:</p> <ol style="list-style-type: none"> 1. Receives FOIA requests, ensures that the District responds to requests in a timely fashion, and issues responses under FOIA. 2. Develops a list of documents or categories of records that will be immediately disclosed upon request. See 2:250-E2, <i>Immediately Available Public Records</i>. 3. Upon receiving a request for a public record, (a) notes the date the District receives the written request; (b) computes the day on which the period for response will expire and makes a

Actor	Action
	<p>notation of that date on the written request; (c) maintains an electronic or paper copy of a written request, including all documents submitted with the request until the request has been complied with or denied; and (d) creates a file for the retention of the original request, a copy of the response, a record of written communications with the requester, and a copy of other communications.</p> <p>Identifies other staff members to assist with FOIA compliance and delegates specific responsibilities to them. These individuals may include the information technology specialist and department heads.</p> <p>Informs and/or trains staff members concerning their respective responsibilities regarding FOIA. This includes explaining the requirement that all FOIA requests must be immediately forwarded to the Freedom of Information Officer including those that are received via email.</p> <p><u>Training requirements prior to July 1, 2010</u></p> <p>Successfully completes the training program administered by the Public Access Counselor in the Attorney General's office.</p> <p><u>Training requirements after July 1, 2010</u></p> <p>Successfully completes the annual training program developed by the Public Access Counselor in the Attorney General's office. Each newly appointed Freedom of Information Officer must successfully complete the training program within 30 days after assuming the position.</p> <p><u>Posting and availability requirements</u></p> <p>Prominently displays at each administrative office and school, and posts on the District website, if any, the following: (1) a brief description of the District, and (2) the methods for requesting information and District public records, directory information listing the Freedom of Information officer and where requests for public records should be directed, and any fees. 5 ILCS 140/4. This information must be copied and mailed if requested. <u>Id.</u></p> <p>Maintains and makes available for inspection and copying a reasonably current list of all types or categories of records under the District's control. 5 ILCS 140/5. The following list contains both exempt and non-exempt records:</p> <ul style="list-style-type: none"> Board governance <ul style="list-style-type: none"> Includes: Board meeting calendar and notices, Board meeting agendas and minutes, Board policy Fiscal and business management

Actor	Action
	<p>Includes: levy resolution and certificate of tax levy, audit, line-item budget, grant documents, account statements, accounts payable list, contracts, legal notices, bidding specifications, requests for proposals</p> <p>Personnel Includes: employee contact information, salary schedules, staff handbook, collective bargaining agreements, personnel file material</p> <p>Students and instruction Includes: accountability documents, calendars, student handbooks, learning outcomes, student school records</p> <p><u>Copying fees</u> Recommends a copying fee schedule to the Board from time-to-time as appropriate that complies with 5 ILCS 140/6, including the following:</p> <ol style="list-style-type: none"> 1. The copying fee, except when it is otherwise fixed by statute, must be reasonably calculated to reimburse the District's actual cost for reproducing and certifying public records and for the use, by any person, of its equipment to copy records. The costs of any search for and review of the records or other personnel costs associated with reproducing the records are not included in the fee calculation. 2. Statutory fees applicable to copies of public records when furnished in a paper format are not applicable to those records when furnished in an electronic format. 3. No fee is charged for the first 50 pages of black and white, letter or legal sized copies furnished to a requester. 4. The fee for black and white, letter or legal sized copies shall not exceed 15 cents per page. 5. If the District provides copies in color or in a size other than letter or legal, the fee may not be more than its actual cost for reproducing the records. <p>Manages and collects the copying fees described above.</p> <p><u>Response</u> Complies with or denies a request for inspection or copying within 5 business days of receiving a records request, unless the time for response is extended. 5 ILCS 140/3. Makes decisions whether to comply or deny the request according to Board policy 2:250, <i>Access to District Public Records</i>. Redacts any and all exempt portion(s) of requested records containing both exempt and non-exempt material and releases</p>

Actor	Action
	<p>the remaining material. 5 ILCS 140/7. Reviewing past responses to FOIA requests will promote uniform treatment of requests for similar records.</p> <p>Complies with the Personnel Record Review Act concerning a request for a disciplinary report, letter of reprimand, or other disciplinary action. Does not provide any of these documents that is more than 4 years old. Provides the employee with written notice on or before the day any such document is released, unless notice is not required under the Personnel Record Review Act. 5 ILCS 140/7.5(q); 820 ILCS 40/7 and 40/8.</p> <p><u>Extension of time</u></p> <p>Identifies the need to extend the time for a response for any of the reasons stated in 5 ILCS 140/3(e)(i-vii), quoted below:</p> <ul style="list-style-type: none"> (i) the requested records are stored in whole or in part at other locations than the office having charge of the requested records; (ii) the request requires the collection of a substantial number of specified records; (iii) the request is couched in categorical terms and requires an extensive search for the records responsive to it; (iv) the requested records have not been located in the course of routine search and additional efforts are being made to locate them; (v) the requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under Section 7 of FOIA or should be revealed only with appropriate deletions; (vi) the request for records cannot be complied with by the public body within the time limits prescribed by paragraph (c) of Section 3 of FOIA without unduly burdening or interfering with the operations of the public body; or (vii) there is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request. <p>Performs one of the following actions within 5 business days after receipt of the request:</p> <ol style="list-style-type: none"> 1. Notifies the person making the request that the District is extending its time for response for no longer than 5 business days from the original due date, and identifies the reason for

Actor	Action
	<p>the delay and the date on which a response will be made. 5 ILCS 140/3(e) and (f).</p> <p>2. Confers with the person making the request in an attempt to reach an agreement on an extended compliance date. The agreement must be in writing. 5 ILCS 140/3(e).</p> <p><u>Unduly burdensome requests</u></p> <p>Confers with the person making an unduly burdensome request in an attempt to reduce the request to manageable proportions. A request may be unduly burdensome due, for example, to the request's breadth. Explains to the requester in writing when a request continues to be unduly burdensome specifying the reason why the request is unduly burdensome.</p> <p><u>Requests for commercial purposes</u></p> <p>Handles requests for commercial purposes according to 5 ILCS 140/3.1. <i>Commercial purpose</i> is defined in 5 ILCS 140/2(c-10) as:</p> <p>[T]he use of any part of a public record or records, or information derived from public records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a <i>commercial purpose</i> when the principal purpose of the request is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education.</p> <p>Responds to a request for records to be used for a commercial purpose within 21 working days after receipt. The response must be one of the following: (a) provide an estimate of the time required by the District to provide the records and an estimate of the fees, which the requester may be required to pay in full before copying the requested documents, (b) deny the request pursuant to one or more of the exemptions, (c) notify the requester that the request is unduly burdensome and extend an opportunity to attempt to reduce the request to manageable proportions, or (d) provide the records requested.</p> <p>Complies with a request, unless the records are exempt from disclosure, within a reasonable period considering the size and complexity of the request, and giving priority to records requested for non-commercial purposes.</p>

Actor	Action
	<p><u>Denying a request</u> Complies with 5 ILCS 140/9 by:</p> <ol style="list-style-type: none"> 1. Providing the requester with a written response containing: (a) the reasons for the denial, including a detailed factual basis for the application of any exemption claimed, (b) the names and titles or positions of each person responsible for the denial, and (c) information about his or her right to review by the Public Access Counselor (include the address and phone number for the Public Access Counselor), and to judicial review under 5 ILCS 140/11. 2. Specifying the exemption claimed to authorize the denial and the specific reasons for the denial, including a detailed factual basis and a citation to supporting legal authority when the denial is based on the grounds that the records are exempt under 5 ILCS 140/7. 3. Provides written notice to the requester and the Public Access Counselor, within the time periods provided for responding to a request, of the District's intent to deny the request in whole or in part under Section 7(1)(c) (personal information) or Section 7(1)(f) (preliminary drafts, notes, recommendations, memoranda, and other records in which opinions are expressed, or policies or actions are formulated). Includes in this notice: (a) a copy of the request, (b) the District's proposed response, and (c) a detailed summary of the District's basis for asserting the exemption. 5 ILCS 140/9(b). <p>Retains copies of all notices of denial in a single central office file that is open to the public and indexed according to the type of exemption asserted and, to the extent feasible, according to the types of records requested. 5 ILCS 140/9.I.</p> <p><u>Consults with the Board Attorney</u> Consults with the Board Attorney:</p> <ol style="list-style-type: none"> 1. As necessary for legal advice concerning compliance with FOIA and responses to specific requests. 2. For legal advice when communicating with or upon receiving communications from the office of the Illinois Attorney General or Public Access Counselor.

LEGAL REF.: 5 ILCS 140/, Freedom of Information Act.

Text from P.A. 96-542 containing some of the more utilized FOIA exemptions

Section 7. Exemptions (5 ILCS 140/7)

- (1) When a request is made to inspect or copy a public record that contains information that is exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the public body may elect to redact the information that is exempt. The public body shall make the remaining information available for inspection and copying. Subject to this requirement, the following shall be exempt from inspection and copying:
- (a) Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law.
 - (b) Private information, unless disclosure is required by another provision of this Act, a State or federal law or a court order.
 - (c) Personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.
 - (d) Records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would:
 - (i) interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency that is the recipient of the request;
 - (ii) interfere with active administrative enforcement proceedings conducted by the public body that is the recipient of the request;
 - (iii) create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing;
 - (iv) unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies; except that the identities of witnesses to traffic accidents, traffic accident reports, and rescue reports shall be provided by agencies of local government, except when disclosure would interfere with an active criminal investigation conducted by the agency that is the recipient of the request;
 - (v) disclose unique or specialized investigative techniques other than those generally used and known or disclose internal documents of correctional agencies related to detection, observation or investigation of incidents of crime or misconduct, and disclosure would result in demonstrable harm to the agency or public body that is the recipient of the request;
 - (vi) endanger the life or physical safety of law enforcement personnel or any other person; or
 - (vii) obstruct an ongoing criminal investigation by the agency that is the recipient of the request.
- ***
- (f) Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body. The exemption provided in this paragraph (f) extends to all those

records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents.

- (g) Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested.
- (i) All trade secrets and commercial or financial information obtained by a public body, including a public pension fund, from a private equity fund or a privately held company within the investment portfolio of a private equity fund as a result of either investing or evaluating a potential investment of public funds in a private equity fund. The exemption contained in this item does not apply to the aggregate financial performance information of a private equity fund, nor to the identity of the fund's managers or general partners. The exemption contained in this item does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm.

Nothing contained in this paragraph (g) shall be construed to prevent a person or business from consenting to disclosure.

- (h) Proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made.
- (i) Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this paragraph (i) does not extend to requests made by news media as defined in Section 2 of this Act when the requested information is not otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare, or legal rights of the general public.
- (j) The following information pertaining to educational matters:
- (i) test questions, scoring keys and other examination data used to administer an academic examination;
- (ii) information received by a primary or secondary school, college, or university under its procedures for the evaluation of faculty members by their academic peers;
- (iii) information concerning a school or university's adjudication of student disciplinary cases, but only to the extent that disclosure would unavoidably reveal the identity of the student; and
- (iv) course materials or research materials used by faculty members.
- (k) Architects' plans, engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and the same for projects constructed or developed with public funds, including but not limited to power generating and distribution stations and other transmission and distribution facilities, water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated, or occupied buildings, but only to the extent that disclosure would compromise security.

- (l) Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act.
- (m) Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body, and materials prepared or compiled with respect to internal audits of public bodies.
- (n) Records relating to a public body's adjudication of employee grievances or disciplinary cases; however, this exemption shall not extend to the final outcome of cases in which discipline is imposed.
- (o) Administrative or technical information associated with automated data processing operations, including but not limited to software, operating protocols, computer program abstracts, file layouts, source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section.
- (p) Records relating to collective negotiating matters between public bodies and their employees or representatives, except that any final contract or agreement shall be subject to inspection and copying.
- (q) Test questions, scoring keys, and other examination data used to determine the qualifications of an applicant for a license or employment.
- (r) The records, documents and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding under the Eminent Domain Act, records, documents and information relating to that parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents and information relating to a real estate sale shall be exempt until a sale is consummated.
- (s) Any and all proprietary information and records related to the operation of an intergovernmental risk management association or self insurance pool or jointly self administered health and accident cooperative or pool. Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications.

- (v) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.
- (x) Maps and other records regarding the location or security of generation, transmission, distribution, storage, gathering, treatment, or switching facilities owned by a utility, by a power generator, or by the Illinois Power Agency.
- (y) Information contained in or related to proposals, bids, or negotiations related to electric power procurement under Section 1.75 of the Illinois Power Agency Act and Section 16.111.5 of the

Public Utilities Act that is determined to be confidential and proprietary by the Illinois Power Agency or by the Illinois Commerce Commission.

Section 7.5. Statutory Exemptions (5 ILCS 140/7.5)

To the extent provided for by the statutes referenced below, the following shall be exempt from inspection and copying:

(b) Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act.

(h) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act, and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.

(q) Information prohibited from being disclosed by the Personnel Records Review Act.

(r) Information prohibited from being disclosed by the Illinois School Student Records Act.

School Board

Administrative Procedure - Protocols for Record Preservation and Development of Retention Schedules

Actor	Action
All Staff and School Board Members	<p>No district record, as defined in the Illinois Local Records Act, shall be destroyed except as provided herein.</p> <p><i>“Public record means any book, paper, map, photograph, digitized electronic material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connection with the transaction of public business and preserved or appropriate for preservation by such agency or officer, or any successor thereof, as evidence of the organization, function, policies, decisions, procedures, or other activities thereof, or because of the informational data contained therein.”</i> 50 ILCS 205/3.</p> <p>Do not destroy any District record, no matter its form, if it is subject to a litigation hold.</p> <p>In federal lawsuits there is an automatic discovery of virtually all types of electronically created or stored data that might be relevant. Attorneys will generally notify their clients at the beginning of a legal proceeding to not destroy any electronic records that might be relevant. The receipt of a <i>litigation hold</i> or preservation letter from the Board’s attorney requires all potentially relevant electronic information to be identified, located, and preserved. This includes all e-mail, e-documents, the tapes and servers of discarded systems, and backup data stored elsewhere.</p>
Superintendent	<p>Assign the following activities to the Records Custodian and Head of Information Technology (IT):</p> <ol style="list-style-type: none"> 1. Develop and maintain a protocol for preserving and categorizing District records; 2. Develop and maintain a record retention and destruction schedule; and 3. Develop protocols to implement a litigation hold.
Records Custodian and Head of IT	<ol style="list-style-type: none"> 1. Develop and maintain a protocol for preserving and categorizing District records. <p>Develop and maintain a list of all District records organized in categories and sub-categories, e.g., records relating to</p>

Actor	Action
	<p>business, students, personnel, board meetings, etc. Align this list with the list District records required by the Freedom of Information Act. 5 ILCS 140/5.</p> <p>Paper records may be easier to locate than electronic records. Electronic records will potentially exist in all of the available servers, tapes, hard drives, computers, and similar types of electronic devices (e.g., laptops, Blackberrys, cell phones, Palm Pilots, voicemail, etc.).</p> <p>Provide for keeping only “records” and destroying non-records. Avoid filing non-record material with records. Determine what is a non-record, e.g., identical copies of documents maintained in the same file; extra copies of printed or processed materials (official copies of which are retained by the office); blank forms; and personal communications.</p> <p>The goal is to control excessive accumulation of material. Non-record material may be destroyed at any time. 50 ILCS 205/9.</p> <p>Absent a litigation hold, email must be retained only when it contains: (1) evidence of the District’s organization, function, policies, procedures, or activities, or (2) informational data appropriate for preservation. Email that is conversational, personal, or contains brainstorming may generally be deleted.</p> <p>A consistent email retention policy for use across the District ensures that the necessary emails are being retained and emails that are not required to be preserved are purged on a regular basis.</p> <p>Identify and index the location of each category and sub-category of District records. Organize electronic record and data storage.</p> <p>The goal is to ensure that all documents, including electronically created ones, are retained for the required timeframes and are easy to retrieve and produce if necessary.</p> <p>2. Develop and maintain a record retention schedule for submission to the Superintendent and eventually to the Local Records Commission.</p> <p>Prepare a list of public records that: (1) are not needed for current business, and (2) do not have sufficient administrative, legal, or fiscal value to warrant their further preservation. Stated differently, identify records that have no administrative, legal, or fiscal value.</p> <p>Records that have no administrative, legal, or fiscal value may</p>

Actor	Action
	<p>be destroyed according to provisions in the Local Records Act. 50 ILCS 205/1 <u>et seq.</u></p> <p>Prepare a schedule for record destruction by identifying the length of time a record category or series warrants retention after it has been received or produced by the District.</p> <p>The ultimate goal is to obtain permission to destroy unnecessary public records. The Local Records Commission must approve the destruction of any public record. 50 ILCS 205/7, 44 Ill.Admin.Code Part 4000 (Local Records Commission for agencies comprising counties of less than 3,000,000 inhabitants); 44 Ill.Admin.Code Part 4500 (Local Records Commission of Cook County). See the Archives Department on the Secretary of State's website.</p> <p>A list can be used when applying for authority to destroy records. A schedule can be used when applying for continuing authority to destroy records after specified periods of time or the occurrence of specified events.</p> <p><u>The School Code</u> and other statutes (e.g., statutes of limitations) contain mandatory retention timelines. The Board's attorney should be consulted.</p> <p>The e-discovery rules provide a safe harbor for parties during a lawsuit that cannot provide information because it was destroyed as a result of routine practices.</p> <p>Determine whether each sub-category of documents should be reproduced by photography, microphotographic processes, or digitized electronic format.</p> <p>If a record is reproduced in accordance with standards published by the Local Records Commission, the original may be destroyed. The reproduction's destruction must be according to the approved record retention schedule.</p> <p>3. Develop protocols to implement a litigation hold.</p> <p>Understand what a <i>litigation hold</i> is.</p> <p>A litigation hold refers to the notification made by the Board's attorney telling the District to preserve all information that may be relevant to current or anticipated litigation. While it may occur anytime in the legal process, it will usually occur during discovery, the pretrial phase of a lawsuit designed to compel the exchange of information between parties. A litigation hold triggers the need to immediately suspend destruction of electronic and other records relevant to the current or potential claim.</p>

Actor	Action
	<p>Specify how to implement a litigation hold, i.e.:</p> <ul style="list-style-type: none"> • Who can trigger a litigation hold? • How is a litigation hold communicated? • Who should gather the records? • What records are subject to a litigation hold and who determines this? • In what format should records be gathered? • Where should records be gathered? <p>Identify how to implement a litigation hold for all IT systems, including backup tapes, to ensure they are not deleted or overwritten as part of the normal tape rotation process.</p> <p>Prepare a map of potentially relevant data and otherwise assist the Board's attorneys in locating all potentially relevant information.</p>
Superintendent	<p>Submit new or revised record retention and destruction lists and schedules to the Local Records Commission for approval.</p> <p>Disseminate the record retention and destruction schedule, along with instructions, to all affected staff members and Board members.</p> <p>Immediately inform the Records Custodian and Head of IT whenever a record must be preserved because: (1) it may be relevant to present or future litigation, or (2) the Board attorney has notified the District to preserve a record, including electronic information (<i>litigation hold</i>).</p>

LEGAL REF.: Federal Rules of Civil Procedure, Rules 16 and 26.
 5 ILCS 140/1 et seq., Freedom of Information Act.
 50 ILCS 205/1 et seq., Local Records Act.
 105 ILCS 10/1 et seq., IL School Student Records Act.
 820 ILCS 40/1 et seq., IL Personnel Record Review Act.

School Board

Exhibit – Written Request for District Public Records

All requests to inspect and/or to obtain a copy of a District record must be made in writing. This form is provided for convenience – its use is not required. Please submit all requests to the District's Freedom of Information Officer. Copying fees, if any, must be paid before copies will be provided. The Freedom of Information Officer can give you an estimate of the copying fees, if any.

Name of individual(s) requesting District records	Email address
Address	Telephone number
City	State
	Zip
	Date of request

Please check if this request of records is being made for a commercial purpose. Section 2 of the Freedom of Information Act states: "*Commercial purpose* means the use of any part of a public record or records, or information derived from public records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a "commercial purpose" when the principal purpose of the request is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education. Section 3.1 states: "It is a violation of this Act for a person to knowingly obtain a public record for a commercial purpose without disclosing that it is for a commercial purpose, if requested to do so by the public body."

Please check if a fee waiver or reduction is being requested. Section 6 of the Freedom of Information Act states: "Documents shall be furnished without charge or at a reduced charge, as determined by the public body, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit."

Please indicate your reason for requesting a fee waiver: _____

Check if you are requesting:

Record description (<i>Please be specific</i>)	Electronic Copy	Inspection	Copy

School Board

Exhibit - Immediately Available Public Records ¹

[For use by District's that have websites only.]

The following public records are designated by the District's Freedom of Information Officer as being immediately available on the District's website and may be inspected, downloaded, printed, and/or copied. Any asterisked public record is immediately available for inspection or copying upon request at the District's administrative office during its regular business hours, provided any applicable fees are paid. Records without an asterisk will be provided within 5 business days as allowed by the Freedom of Information Act, provided any applicable fees are paid.

Web-posted records and information	Web-posting statutory reference and special instructions
*Annual schedule of regular meetings for the current school year that are posted at the beginning of each calendar or fiscal year *Public notice of each board meeting that is posted at least 48 hours before the meeting and remains posted until the meeting is concluded *Agenda of each regular meeting that is posted at least 48 hours before a meeting and remains posted until the meeting is concluded	5 ILCS 120/2.02.
*Official open meeting minutes that are posted within 7 days of the Board's approval and remain posted for at least 60 days	5 ILCS 120/2.06(b).
*Description of the District and its records including: Summary of the District's purpose Functional subdivisions	5 ILCS 140/4, amended by P.A.96-542. The District must prominently post the list at each administrative office

¹ Several laws mandate school districts to post information on their websites. This exhibit lists the required items for web-posting. Many attorneys agree that using the required items for web-posting is an easy and practical way for the Freedom of Information Officer to develop a list of public records that the school board will make *immediately available* as required by 5 ILCS 140/3.5(a), added by P.A. 96-542. Some attorneys disagree and prefer that the district also retain copies of its web-posted public records for immediate inspection and/or copying upon request at the administrative office. The second and third introductory sentences manage this issue by indicating that copies of certain identified public records will also be immediately available in the district administrative office. This sample exhibit suggests identifying public records that are easily reproduced and stored, i.e. not voluminous. The Freedom of Information Officer should customize this list as appropriate to the district's circumstances. Consult the board attorney for ideas to manage the district's specific FOIA compliance issues.

Web-posted records and information	Web-posting statutory reference and special instructions
<p>Total amount of operating budget Number and location of all of its separate offices Approximate number of full and part-time employees (see also, salary and benefits information report for the Superintendent, administrators, and teachers, District's Statement of Affairs) Identification and membership of the Board Brief description of the methods whereby the public may request information and public records Directory for the Freedom of Information Officer Address where requests for public records should be directed Fees</p>	<p>and make it available for inspection and copying.</p>
<p>Annual budget for current fiscal year, itemized by receipts and expenditures</p>	<p>105 ILCS 5/17-1.2. This may be accomplished using ISBE's School District Budget Form 50-36 or the summary pages from it. ² The budget must be submitted to ISBE no later than Oct. 30, 2009. The District must notify the parents or guardians of its students that the budget has been web-posted and what the website's address is.</p>
<p>*District's current report card (ISBE School Report Card Data Form 86-43)</p>	<p>105 ILCS 5/10-17a.</p>
<p>Administrator Salary Compensation Report (itemized salary compensation report for every employee holding an administrative certificate and working in that capacity, including the Superintendent). For each District administrator:</p> <ul style="list-style-type: none"> • Base salary 	<p>105 ILCS 5/10-20.46, added by P.A. 96-434. The Report must also be presented at a regular Board meeting and provided to the Regional Superintendent on or before October 1 of each year.</p>

² For school officials that are concerned that some of their district's constituents may not have the proper software to access these documents, ISBE provides links to free *viewer* or *reader* products that support the ISBE School District Budget Form (50-36). These products can be downloaded and used to access the budget as posted on the district's website. The products are available at: www.isbe.net/sfms/budget/freeviewer.htm.

Web-posted records and information	Web-posting statutory reference and special instructions
<ul style="list-style-type: none"> • Bonuses • Pension contributions • Retirement increases • Cost of health insurance • Cost of life insurance • Paid sick and vacation day payouts • Annuities • Other forms of compensation or income paid on behalf of the employee; e.g., travel and business expense reimbursements, non-base compensation such as use of a District vehicle, wellness incentives, gym memberships, etc. 	
Current contracts with an exclusive bargaining representative(s)	105 ILCS 5/10-20.46, added by P.A. 96-434.
A listing of all contracts over \$25,000 for the current fiscal year	105 ILCS 5/10-20.44, as added by P.A. 95-707. After the initial web-posting, contracts should be added to the list as they are awarded by the Board.

School Board

Uniform Grievance Procedure

A student, parent/guardian, employee, or community member should notify any District Complaint Manager if he or she believes that the School Board, its employees, or agents have violated his or her rights guaranteed by the State or federal Constitution, State or federal statute, or Board policy, or have a complaint regarding any one of the following:

1. Title II of the Americans with Disabilities Act;
2. Title IX of the Education Amendments of 1972;
3. Section 504 of the Rehabilitation Act of 1973;
4. Title VI of the Civil Rights Act, 42 U.S.C. § 2000d et seq.;
5. Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. § 2000e et seq.;
6. Sexual harassment (Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972);
7. Bullying, 105 ILCS 5/27-23.7
8. The misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children;
9. Curriculum, instructional materials, programs;
10. Victim's Economic Security and Safety Act, 820 ILCS 180
11. Illinois Equal Pay Act of 2003, 820 ILCS 112
12. Provision of services to homeless students.
13. Illinois Whistleblower Act, 740 ILCS 174/1 et seq.
14. Misuse of genetic information (Illinois Genetic Information Privacy Act (GIPA), 410 ILCS 513/ and Titles I and II of the Genetic Information Nondiscrimination Act (GINA), 42 U.S.C. § 2000ff et seq.)
15. Employee Credit Privacy Act, 820 ILCS 70/.

The Complaint Manager will first attempt to resolve complaints without resorting to this grievance procedure. If a formal complaint is filed under this policy, the Complaint Manager will address the complaint promptly and equitably. A student and/or parent/guardian filing a complaint under this procedure may forego any informal suggestions and/or attempts to resolve it and may proceed directly to the grievance policy. The Complaint Manager will not require a student or parent/guardian complaining of any form of harassment to attempt to resolve allegations directly with the accused (or the accused's parents/guardians); this includes mediation.

Right to Pursue Other Remedies Not Impaired

The right of a person to prompt and equitable resolution of a complaint filed hereunder shall not be impaired by the person's pursuit of other remedies, e.g. criminal complaints, civil actions, etc. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies. If a person is pursuing another remedy subject to a complaint under this policy, the district will continue with a simultaneous investigation under this policy.

Deadlines

All deadlines under this policy may be extended by the Complaint Manager as he or she deems appropriate. As used in this policy, "school business days" means days on which the District's main office is open.

Filing a Complaint

A person (hereinafter Complainant) who wishes to avail him or herself of this grievance procedure may do so by filing a complaint with any District Complaint Manager. The Complainant shall not be required to file a complaint with a particular Complaint Manager and may request a Complaint Manager of the same gender. The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with the parent(s)/guardian(s) of a student. The Complaint Manager shall assist the Complainant as needed.

For bullying and cyber-bullying, the Complaint Manager shall process and review the complaint according to Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy.

Investigation

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The Complaint Manager shall ensure both parties have an equal opportunity to present evidence during an investigation. If the Complainant is a student, the Complaint Manager will notify his or her parent(s)/guardian(s) that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law or this policy, or (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

The identity of any student witnesses will not be disclosed except: (1) as required by law or any collective bargaining agreement, (2) as necessary to fully investigate the complaint, or (3) as authorized by the parent/guardian of the student witness, or by the student if the student is 18 years of age or older.

The Complaint Manager will inform, at regular intervals, the person(s) filing a complaint under this policy about the status of the investigation. Within 30 school business days of the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Superintendent. The Complaint Manager may request an extension of time. If a complaint of sexual harassment contains allegations involving the Superintendent, the written report shall be filed with the School Board, which will make a decision in accordance with Section 3 of this policy. The Superintendent will keep the Board informed of all complaints.

Decision and Appeal

Within five school business days after receiving the Complaint Manager's report, the Superintendent shall mail his or her written decision to the Complainant and the accused by

US mail, first class, as well as the Complaint Manager. All decisions shall be based upon the *preponderance of evidence* standard.

Within 10 school business days after receiving the Superintendent's decision, the Complainant or the accused may appeal the decision to the School Board by making a written request to the Complaint Manager. The Complaint Manager shall promptly forward all materials relative to the complaint and appeal to the School Board. Within 30 school business days, the School Board shall affirm, reverse, or amend the Superintendent's decision or direct the Superintendent to gather additional information for the Board. Within five school business days of the Board's decision, the Superintendent shall inform the Complainant and the accused of the Board's action.

This policy shall not be construed to create an independent right to a School Board hearing. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.

Appointing Nondiscrimination Coordinator and Complaint Managers

The Superintendent shall appoint a Nondiscrimination Coordinator to manage the District's efforts to provide equal opportunity employment and educational opportunities and prohibit the harassment of employees, students, and others. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.

The Superintendent shall appoint at least one Complaint Manager to administer the complaint process in this policy. If possible, the Superintendent will appoint two Complaint Managers, one of each gender. The District's Nondiscrimination Coordinator may be appointed as one of the Complaint Managers.

The Superintendent shall insert into this policy and keep current the names, addresses, and telephone numbers of the Nondiscrimination Coordinator and the Complaint Managers.

Nondiscrimination Coordinator:

Superintendent
Name
500 North Avenue, Winthrop Harbor, IL 60096
Address
847-731-3085
Telephone

Complaint Managers:

Westfield Elementary Principal

North Prairie Principal

- LEGAL REF.: Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq.
Americans With Disabilities Act, 42 U.S.C. § 12101 et seq.
Equal Employment Opportunities Act (Title VII of the Civil Rights Act),
42 U.S.C. § 2000e et seq.
Equal Pay Act, 29 U.S.C. § 206(d).
Genetic Information Nondiscrimination Act, 42 U.S.C. § 2000ff et seq.
Immigration Reform and Control Act, 8 U.S.C. § 1324a et seq.
Individuals With Disabilities Education Act, 20 U.S.C. § 1400 et seq.
McKinney Homeless Assistance Act, 42 U.S.C. § 11431 et seq.
Rehabilitation Act of 1973, 29 U.S.C. § 791 et seq.
Title VI of the Civil Rights Act, 42 U.S.C. § 2000d et seq.
Equal Employment Opportunities Act (Title VII of the Civil Rights Act),
42 U.S.C. § 2000e et seq.
Title IX of the Education Amendments, 20 U.S.C. § 1681 et seq.
775 ILCS 5/1-101 et seq. 105 ILCS 5/2-3.8, 5/3-10, 5/10-20.7a, 5/10-
22.5, 5/22-19, 5/24-4, 5/27.1, and 45/1-15. 23 Ill. Admin. Code §§ 1.240
and 200-40.
- CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20
(Sexual Harassment), 6:140 (Education of Homeless Children), 6:170
(Title I Programs), 6:260 (Complaints About Curriculum, Instructional
Materials, and Programs), 7:10 (Equal Educational Opportunities),
7:20 (Harassment of Students Prohibited), 8:70 (Accommodating
Individuals with Disabilities), 8:110 (Public Complaints).

School Board

Administrative Procedure - Guidelines for Investigating Complaints and Allegations of Misconduct

As a general rule, all complaints should be investigated, even when the complainant requests that nothing be done or is anonymous.

Step 1: Before the Investigation

- A. According to policy 2:260, *Uniform Grievance Procedure*, the Superintendent appoints at least two Complaint Managers, one of each gender. The District Complaint Manager investigates: (1) complaints filed under policy 2:260, *Uniform Grievance Procedure*, and (2) allegations of employee misconduct.
- B. The appropriate Building Principal or designee investigates all allegations of student misconduct.
- C. Anyone with a complaint or making an allegation of misconduct should be referred to the Complaint Manager or Building Principal without delay.
- D. A Complaint Manager or Building Principal (hereafter referred to as "investigator") will investigate all complaints or allegations of misconduct, except that, depending on the circumstances, the Superintendent may appoint a special investigator. An investigator should not have any involvement with the complainant or the alleged wrongdoer. The Superintendent will ensure that investigators have sufficient authority and resources, including access to the School Board Attorney.
- E. The investigator should provide a fair opportunity for both sides to be heard.
- F. The investigator should begin by carefully reading the complaint. Next the investigator should review applicable Board policies, administrative procedures and manuals, laws, regulations, and collective bargaining agreements.
- G. The investigator should develop a plan, including:
 - Witness list
 - Order of interviews
 - Questions for witnesses
 - Physical evidence needed, e.g., records, documents, reports, photos, and letters
- H. The investigator should make logistical arrangements, e.g., determine interview location and the need for photographs and/or a video or audio recording.

Step 2: The Investigation

- A. Typically, interview the complainant first, next the subject of the investigation, and, finally, all witnesses. The following applies to all interviews:
 - If possible, statements should be written, dated, and signed by the person being interviewed.
 - Ask open-ended questions and do not suggest answers to questions.

- Record important details, essentially who, did what, to whom, when and how done and, if appropriate, why?
 - Be objective and nonjudgmental; do not prejudge an alleged wrongdoer's guilt. Never show outrage or dismay.
 - Ask for the names of any other witnesses.
 - Deal with emotional outbursts and anger by patiently explaining that details are needed for an accurate investigation.
 - If a witness cannot be interviewed, record the reason.
- B. While confidentiality should be maintained, do not make promises of confidentiality or anonymity. Only the Superintendent may promise confidentiality or anonymity.
- C. Keep the Superintendent informed, but do not discuss the investigation with Board members in order to avoid the appearance of prejudice or unfairness.
- D. Obtain copies of all necessary papers. Originals are not needed, but record how to get them.
- E. Collect physical evidence and photographs. Keep a record of when, and where, or from whom physical evidence was gathered.
- F. Document everything about the interview, including the person's demeanor, gestures, accuracy of memory, and overall credibility.
- G. During the investigation, keep the investigation file separate from personnel or student record files. In a subsequent hearing, the opposing side may be able to view the investigation file.

Step 3: Following the Investigation

- A. Report to the Superintendent or designee the investigation results, that is, the matters investigated, facts, conclusions, and recommendations. Prepare a written report if requested.
- Answer who, what, when, where, why, and how.
 - Factual findings are based on whether an incident's occurrence is more likely than not. Identify as many factual findings as possible to support a conclusion. In a "he said, she said" scenario, a decision can be based on the credibility of the parties and witnesses. Include in the report any findings that are inconclusive.
 - Make a determination regarding credibility of specific evidence, that is, how believable is it and why. Credible evidence is capable of belief by a reasonable person.
- B. Be prepared to testify as to the fairness of the investigation, the authenticity of the evidence, and the contents of the investigation report.

School Board

Administrative Procedure - Nondiscrimination Coordinator and Complaint Manager

The Nondiscrimination Coordinator directs the District's compliance with federal and State laws governing discrimination and harassment in the workplace. The Complaint Manager administers the complaint process in Board policy 2:260, *Uniform Grievance Procedure*.

Superintendent Responsibilities

- A. Appoints individuals to serve as a Nondiscrimination Coordinator and Complaint Manager whose skill set suggest they could effectively fulfill the responsibilities identified in this procedure. One individual may serve in both capacities. The Superintendent may serve in either capacity. If possible, at least 2 Complaint Managers are appointed, one of each gender.
- B. Identifies individuals to supervise the performance of the Nondiscrimination Coordinator and Complaint Manager. The supervisor must understand the responsibilities of each role and have authority to take action. If possible, a different individual is assigned to supervise each role as a control measure, e.g., the Human Resources Manager supervises the Nondiscrimination Coordinator's performance and the Superintendent supervises the Complaint Manager's performance.
- C. Requires each Nondiscrimination Coordinator and/or Complaint Manager to possess or obtain:
 1. In-depth knowledge of Board policies as well as rules and conduct codes for students and employees.
 2. General knowledge of State and federal laws concerning equal employment and educational opportunities.
 3. Ability to:
 - a. Communicate effectively, both orally and in writing, and to establish rapport with others;
 - b. Plan, implement, evaluate, and report activities conducted;
 - c. Be both consistent and flexible as circumstances warrant; and
 - d. Analyze, clarify, and mediate differences of opinion.
- D. Facilitates the effective performance of the Nondiscrimination Coordinator and Complaint Managers by:
 1. Providing them with clear expectations concerning their roles and responsibilities.
 2. Communicating to employees and students their functions and responsibilities.
 3. Providing them resources and professional development opportunities.
 4. Providing them access to the Board Attorney for legal advice concerning their responsibilities.

Nondiscrimination Coordinator Responsibilities

- A. Directs the District's efforts to provide equal employment and educational opportunities and prohibit the harassment of employees, students, and others. Manages compliance with Board policies 2:260, *Uniform Grievance Procedure*; 5:10, *Equal Employment Opportunity and Minority Recruitment*; 5:20, *Sexual Harassment*; and 7:20, *Harassment of Students Prohibited*.
- B. Develops and manages a program that will fully inform all employees and students about the District's commitment to equal employment and educational opportunities and a harassment-free environment. A component of this program is to inform employees and students about Board policies and administrative procedures.
- C. Provides ongoing consultation, technical assistance, and information services regarding compliance requirements and programs.
- D. Assists the Human Resources Manager with monitoring compliance with the recordkeeping and notice requirements contained in federal and State laws concerning discrimination and harassment in schools and the workplace.
- E. Maintains grievance and compliance records and files.
- F. Makes recommendations for action by appropriate decision makers.
- G. Establishes a positive climate for nondiscrimination compliance efforts. This effort includes encouraging individuals to come forward with suggestions and complaints.

Complaint Manager Responsibilities

- A. Implements and administers the grievance process contained in Board policy 2:260, *Uniform Grievance Procedure*.
- B. Manages complaints alleging a violation of any Board policy or procedure listed in the next section.
- C. Assists complainants and potential complainants by, among other things, providing consultation and information to them.
- D. Attempts to resolve complaints without resorting to the formal grievance process provided in Board policy 2:260, *Uniform Grievance Procedure*.
- E. Informs potential complainants, complainants, and witnesses that the District prohibits any form of retaliation against anyone who, in good faith, brings a complaint or provides information to the individual investigating a complaint.
- F. Receives formal complaints and notifies relevant individuals of the ensuing process.
- G. Investigates complaints or appoints a qualified individual to undertake the investigation on his or her behalf. Each complaint shall be investigated promptly, thoroughly, and impartially, and as confidentially as possible.
- H. For each formal complaint, prepares a comprehensive written report describing the: (a) complaint, (b) investigation, and (c) findings and recommendations. Provides the report to the Superintendent or School Board if the Superintendent is an alleged responsible party.

- I. Receives a request from a complainant to appeal the Superintendent's resolution of the complaint and promptly forwards all relevant material to the Board.
- J. Monitors compliance with all requirements and time-lines specified in Board policy 2:260, *Uniform Grievance Procedure*.

Applicable Policies and Procedures

Section 2

2:260 Uniform Grievance Procedure

2:260-AP2 Administrative Procedure - Nondiscrimination Coordinator and Complaint Manager

Section 5

5:10 Equal Employment Opportunity and Minority Recruitment

5:20 Sexual Harassment

5:20-AP Administrative Procedure - Sample Questions for Conducting the Internal Sexual Harassment in the Workplace Investigation

Section 6

6:120 Education of Children with Disabilities

6:140 Education of Homeless Children

6:140-AP Administrative Procedure - Education of Homeless Children

6:170 Title I Programs

6:260 Complaints About Curriculum, Instructional Materials, and Programs

Section 7 - Students

7:10 Equal Educational Opportunities

7:20 Harassment of Students Prohibited

7:20-AP Administrative Procedure - Harassment of Students Prohibited

7:180 Preventing Bullying, Intimidation, and Harassment

7:190 Student Discipline

Section 8 - Community Relations

8:70 Accommodating Individuals with Disabilities

8:110 Public Suggestions and Complaints

Resources

U.S. Equal Employment Opportunity Commission, www.eeoc.gov.

"Enforcement Guidances and Related Documents," U.S. Equal Employment Opportunity Commission, www.eeoc.gov/policy/guidance.html.

"Sexual Harassment: It's Not Academic" U.S. Dept. of Education, Office for Civil Rights, www.ed.gov/about/offices/list/ocr/docs/ocrshpam.html.

"Frequently Asked Questions about Sexual Harassment," U.S. Dept. of Education, Office for Civil Rights, www.ed.gov/about/offices/list/ocr/qa-sex.html.

“Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties,” Office for Civil Rights,
www.ed.gov/about/offices/list/ocr/docs/shguide.html.

“Q&A Regarding Title IX Procedural Requirements,” U.S. Dept. of Justice,
www.usdoj.gov/crt/cor/coord/TitleIXQandA.php.

General School Administration

Goals and Objectives

The Superintendent directs the administration in order to manage the School District and to facilitate the implementation of a quality educational program in alignment with School Board policy 1:30, *School District Philosophy*. Specific goals and objectives are to:

1. Effectively and efficiently manage the District's programs and buildings.
2. Provide educational expertise,
3. Develop and maintain channels for communication between the school and community,
4. Develop an administrative procedures manual implementing School Board policy,
5. Skillfully manage the District's fiscal and business activities,
6. Plan, organize, implement, and evaluate educational programs, and
7. Meet or exceed student performance and academic improvement goals established by the Board.

LEGAL REF.: 105 ILCS 5/10-16.7, 5/10-21.4 and 5/10-21.4a.
23 Ill. Admin. Code § 1.210.

CROSS REF.: 1:30 (School District Philosophy), 2:20 (Powers and Duties of the School Board), 2:130 (Board Superintendent Relationship), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:60 (Administrative Responsibility of the Building Principal), 6:10 (Educational Philosophy and Objectives)

General School Administration

Chain of Command

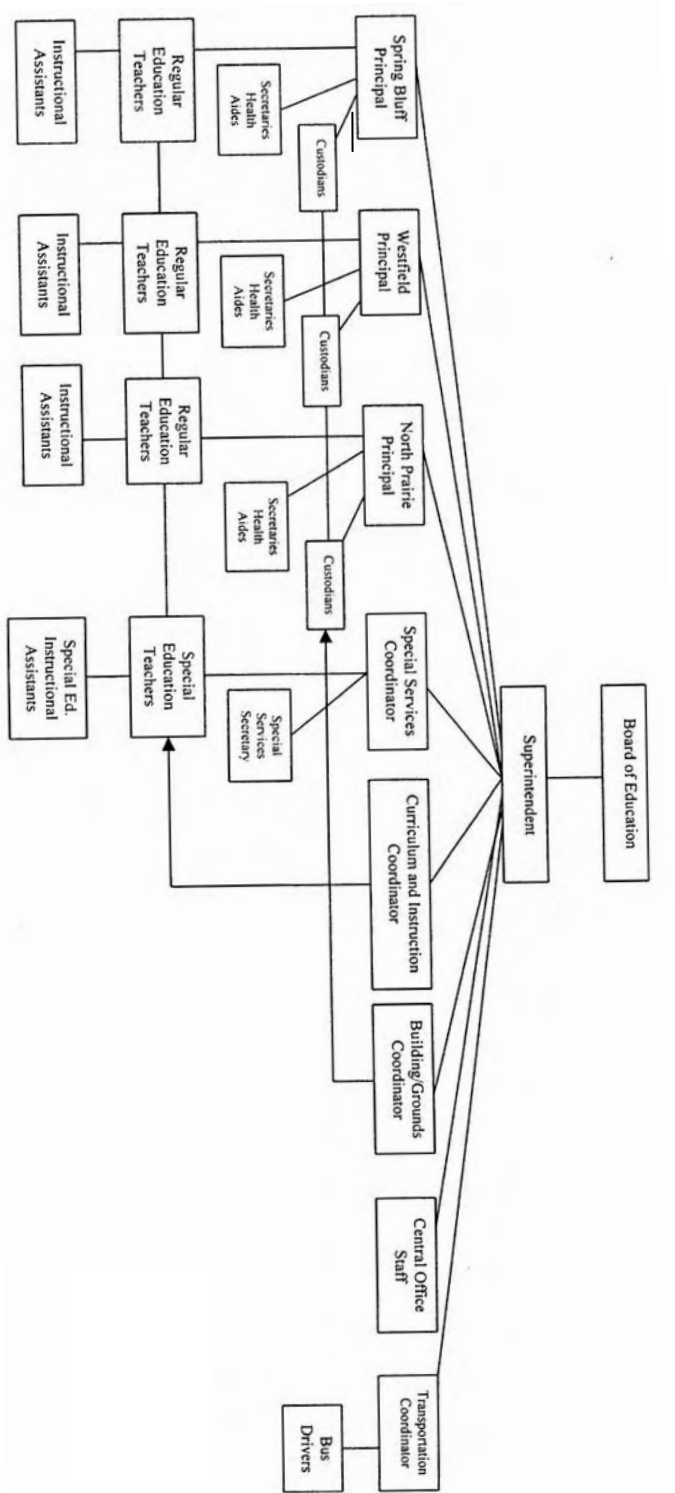
The Superintendent shall develop an organizational chart indicating the channels of authority and reporting relationships for school personnel. These channels should be followed, and no level should be bypassed except in unusual situations.

All personnel should refer matters requiring administrative action to the responsible administrator, and may appeal a decision to a higher administrative officer. Whenever possible, each employee should be responsible to only one immediate supervisor. Where this is not possible, the division of responsibility must be clear.

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 2:140 (Communications to and from the Board), 3:70 (Succession of Authority), 8:110 (Public Suggestions and Complaints)

General School Administration

Administrative Procedure - Organizational Chart for Administration



General School Administration

Superintendent

Duties and Authority

The Superintendent is the District's executive officer and is responsible for the administration and management of the District schools in accordance with School Board policies and directives, and State and federal law. The Superintendent is authorized to develop administrative procedures and take other action as needed to implement School Board policy and otherwise fulfill his or her responsibilities. The Superintendent may delegate to other District staff members the exercise of any powers and the discharge of any duties imposed upon the Superintendent by Board policies or by Board vote. The delegation of power or duty, however, shall not relieve the Superintendent of responsibility for the action that was delegated.

The Superintendent may delegate to other District staff members the exercise of any powers and the discharge of any duties imposed upon the Superintendent by School Board policies or by Board vote. The delegation of power or duty, however, shall not relieve the Superintendent of responsibility for the action that was delegated.

Qualifications

The Superintendent must be of good character and of unquestionable morals and integrity. The Superintendent shall have the experience and the skills necessary to work effectively with the School Board, District employees, students, and the community. The Superintendent must have and maintain a Professional Educator License with a superintendent's endorsement issued by the Illinois State Educator Preparation and Licensure Board.

Evaluation

The School Board will evaluate, at least annually, the Superintendent's performance and effectiveness, using standards and objectives developed by the Superintendent and Board that are consistent with the Board's policies and the Superintendent's contract. A specific time should be designated for a formal evaluation session with all School Board members present. The evaluation should include a discussion of professional strengths as well as performance areas needing improvement.

The Superintendent shall annually present evidence of professional growth through attendance at educational conferences, in-service training, or similar continuing education pursuits.

Compensation and Benefits

The School Board and the Superintendent shall enter into an employment agreement that conforms to Board policy and State law. This contract shall govern the employment relationship between the School Board and the Superintendent. The terms of the Superintendent's employment agreement, when in conflict with this policy, will control.

LEGAL REF.: 105 ILCS 5/10-16.7, 5/10-20.46, 5/10-21.4, 5/10-23.8, 5/21-7.1, 5/21B20, 5/21B-25, 5/24-11, and 5/24A-3.
23 Ill. Admin. Code §§-1.310a, and 29.130.

CROSS REF: 2:20 (Powers and Duties of the School Board), 2:130 (Board Superintendent Relationship), 2:240 (Board Policy Development), 3:10 (Goals and Objectives)

General School Administration

Administrative Personnel Other Than The Superintendent

Duties and Authority

Duties and Authority District administrative and supervisory positions are established by the School Board in accordance with State law. This policy applies to all administrators other than the Superintendent, including without limitation, Building Principals. The general duties and authority of each administrative or supervisory position are approved by the School Board, upon the Superintendent's recommendation, and contained in the respective position's job description.

Qualifications

All administrative personnel shall be appropriately licensed and shall meet all applicable requirements contained in State law and Illinois State Board of Education rules. Evaluation

The performance of all administrative personnel will be evaluated by the Superintendent or designee; the Superintendent shall make employment and salary recommendations to the School Board.

Administrators shall annually present evidence to the Superintendent of professional growth through attendance at educational conferences, additional schooling, in-service training and through participation in the general development and improvement of the school program.

Administrative Work Year

The administrators' work year shall be the same as the District's fiscal year, July 1 through June 30, unless otherwise stated in the employment agreement. In addition to legal holidays, the administrators shall have vacation periods as approved by the Superintendent. All administrators shall be available for work when their services are necessary.

Compensation and Benefits

The Board and each administrator shall enter into an employment agreement that complies with Board policy and State law. The terms of an individual employment contract, when in conflict with this policy, will control.

The School Board will consider the Superintendent's recommendations when setting compensation for individual administrators. These recommendations should be presented to the School Board no later than the August School Board meeting or at such earlier time that will allow the Board to consider contract renewal and nonrenewal issues.

Unless stated otherwise in individual employment contracts, all benefits and leaves of absence available to teaching personnel are available to administrative personnel.

LEGAL REF.: 105 ILCS 5/10-21.4a, 5/24A-1, 5/24A-3, and 5/24A-4.
23 Ill. Admin. Code § 1.310.

CROSS REF: 3:60 (Administrative Responsibility of the Building Principal), 5:30
(Hiring Process and Criteria), 5:250 (Leaves of Absence)

General School Administration

Administrative Responsibility of the Building Principal

Duties and Authority

The School Board, upon recommendation of the Superintendent, employs Building Principals as the chief administrators and instructional leaders of their assigned schools, and may employ Assistant Principals. The Building Principals' primary responsibility is the improvement of instruction. Building Principals shall perform all duties as described in state law as well as such other duties as specified in the Building Principal's contract or as agreed upon by the Building Principal and Superintendent.

Each Building Principal and Assistant Principal shall complete state law requirements to be a prequalified evaluator before conducting an evaluation of a teacher or assistant principal.

Evaluation Plan

The Superintendent or designee shall implement an evaluation plan for Principals and Assistant Principals that complies with Section 24A-15 of the School Code and relevant Illinois State Board of Education rules. Using that plan, the Superintendent or designee shall evaluate each Building Principal and Assistant Principal. The Superintendent or designee may conduct additional evaluations.

Qualifications and Other Terms and Conditions of Employment

Qualifications and other terms and conditions of employment are found in Board policy 3:50, *Administrative Personnel Other Than the Superintendent*.

LEGAL REF.: 10 ILCS 5/4-6.2.
 105 ILCS 5/2-3.53a, 5/10-20.14, 5/10-21.4a, and 5/24A-15.
 105 ILCS 127/1 et seq.
 23 Ill.Admin.Code Parts 35 and 50, Subpart D.

CROSS REF.: 3:50 (Administrative Personnel Other Than the Superintendent), 5:250
 (Leave of Absence)

General School Administration

Administrative Responsibility of the Building Principal

The School Board, upon recommendation of the Superintendent, employs Building Principals as the chief administrators and instructional leaders of their assigned schools, and may employ Assistant Principals. The Building Principals' primary responsibility is the improvement of instruction. Building Principals shall perform all duties as described in state law as well as such other duties as specified in the Building Principal's contract or as agreed upon by the Building Principal and Superintendent.

The School Board and each Building Principal shall enter into a contract that conforms to Board policy and State law. The terms of an individual employment contract, when in conflict with the evaluation plan or this policy, will control.

Each Building Principal and Assistant Principal shall complete state law requirements to be a prequalified evaluator before conducting an evaluation of a teacher or assistant principal.

The Superintendent or designee shall implement an evaluation plan for Principals and Assistant Principals that complies with Section 24A-15 of the School Code and relevant Illinois State Board of Education rules. Using that plan, the Superintendent or designee shall evaluate each Building Principal and Assistant Principal. The Superintendent or designee may conduct additional evaluations.

LEGAL REF.: 10 ILCS 5/4-6.2.
 105 ILCS 5/2-3.53a, 5/10-20.14, 5/10-21.4a, and 5/24A-15.
 105 ILCS 127/1 et seq.
 23 Ill.Admin.Code Parts 35 and 50, Subpart D.

CROSS REF.: 3:50 (Administrative Personnel Other Than the Superintendent), 5:250
 (Leave of Absence)

General School Administration

Succession of Authority

If the Superintendent, Building Principal, or other administrator is temporarily absent, the succession of authority and responsibility of the respective office shall follow a succession plan, developed by the Superintendent and approved by the School Board. ¹

¹ If a principal is absent due to extended illness or leave, an assistant principal may be assigned as acting principal for a period not to exceed 60 school days (105 ILCS 5/10-21.4a).

General School Administration

Administrative Procedure - Succession Plan

If the Superintendent or Building Principal is temporarily absent, the succession of authority and responsibility of the respective office shall be as below. If the first person on the succession list is unavailable, the second person shall be the responsible person and so on in order through the list. The designated individual shall communicate with the School Board President in cases of extreme importance and/or emergency.

Superintendent

1. Junior High Principal
2. Elementary Principal
3. Assistant Principal (formerly Curriculum Coordinator)
4. Special Services Coordinator
5. Head Teacher

Building Principal

1. Alternate Building Principal
2. Curriculum Coordinator
3. Special Services Coordinator
4. Head Teacher

Operational Services

Fiscal and Business Management

The Superintendent is responsible for the School District's fiscal and business management. This responsibility includes annually preparing and presenting the District's statement of affairs to the School Board and publishing it before December 1, as required by State law.

The Superintendent shall ensure the efficient and cost-effective operation of the District's business management using computers, computer software, data management, communication systems, and electronic networks, including electronic mail, the Internet, and security systems. Each person using the District's electronic network shall complete an "Authorization for Electronic Network Access."

Budget Planning

The District's fiscal year is from July 1 until June 30. The Superintendent shall present to the School Board, no later than the first regular meeting in August, a tentative budget with appropriate explanation. This budget shall represent the culmination of an ongoing process of planning for the fiscal support needed for the District's educational program. The District's budget shall be entered upon the Illinois State Board of Education's "School District Budget Form." To the extent possible, the tentative budget shall be balanced as defined by the State Board of Education guidelines. The Superintendent shall complete a tentative deficit reduction plan if one is required by the State Board of Education guidelines.

Preliminary Adoption Procedures

After receiving the Superintendent's proposed budget, the School Board sets the date, place, and time for:

1. A public hearing on the proposed budget, and
2. The proposed budget to be available to the public for inspection.

The School Board Recording Secretary shall arrange to publish a notice in a local newspaper stating the date, place, and time of the proposed budget's availability for public inspection and the public hearing. The proposed budget shall be available for public inspection at least 30 days before the time of the budget hearing.

At the public hearing, the proposed budget shall be reviewed and the public shall be invited to comment, question, or advise the School Board.

Final Adoption Procedures

The School Board adopts a budget before the end of the first quarter of each fiscal year (September 30), or by such alternative procedure as State law may define. To the extent possible, the budget shall be balanced as defined by the State Board of Education; if not balanced, the Board will adopt a deficit reduction plan to balance the District's budget within 3 years according to State Board of Education requirements.

The School Board adopts the budget by roll call vote. The budget resolution shall be incorporated into the meeting's official minutes. School Board members' names voting yea and nay shall be recorded in the minutes.

The Superintendent or designee shall perform each of the following:

1. Post the District's final annual budget, itemized by receipts and expenditures, on the District's Internet website; notify parents/guardians that it is posted and provide the website's address.
2. File a certified copy of the budget resolution and an estimate of revenues by source anticipated to be received in the following fiscal year, certified by the District's Chief Fiscal Officer, with the County Clerk within 30 days of the budget's adoption.
3. Make all preparations necessary for the Board to timely file its Certificate of Tax Levy, including preparations to comply with the Truth in Taxation Act; file the Certificate of Tax Levy with the County Clerk on or before the last Tuesday in December. The Certificate lists the amount of property tax money to be provided for the various funds in the budget.
4. Submit the annual budget, a deficit reduction plan if one is required by State Board of Education guidelines, and other financial information to the State Board of Education according to its requirements.

Any amendments to the budget or Certificate of Tax Levy shall be made as provided in The School Code and Truth in Taxation Act.

Budget Amendments

The School Board may amend the budget by the same procedure as provided for in the original adoption.

Implementation

The Superintendent or designee shall implement the District's budget and provide the School Board with a monthly financial report that includes all deficit fund balances. The amount budgeted as the expenditure in each fund is the maximum amount that may be expended for that category, except when a transfer of funds is authorized by the School Board.

The School Board shall act on all interfund loans, interfund transfers, transfers within funds, and transfers from the working cash fund if one exists.

LEGAL REF.: 35 ILCS 200/18-55 et seq.
105 ILCS 5/10-17, 5/10-22.33, 5/17-1, 5/17-1.2, 5/17-2A, 5/17-3.2,
5/17-11, 5/20-5, and 5/20-8.

CROSS REF.: 4:40 (Incurring Debt), 6:235 (Access to Electronic Networks)

ADMIN. PROC.: 6:235-E2 (Exhibit - Authorization for Electronic Network Access)

Operational Services

Identity Protection

The collection, storage, use, and disclosure of social security numbers by the School District shall be consistent with State and federal laws. The goals for managing the District's collection, storage, use, and disclosure of social security numbers are to:

1. Limit all activities involving social security numbers to those circumstances that are authorized by State or federal law.
2. Protect each social security number collected or maintained by the District from unauthorized disclosure.

The Superintendent is responsible for ensuring that the District complies with the Identity Protection Act, 5 ILCS 179/. Compliance measures shall include each of the following:

1. All employees having access to social security numbers in the course of performing their duties shall be trained to protect the confidentiality of social security numbers. Training should include instructions on the proper handling of information containing social security numbers from the time of collection through the destruction of the information.
2. Only employees who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents.
3. Social security numbers requested from an individual shall be provided in a manner that makes the social security number easily redacted if the record is required to be released as part of a public records request.
4. When collecting a social security number or upon request by an individual, a statement of the purpose(s) for which the District is collecting and using the social security number shall be provided.
5. Notification to an individual as required by 815 ILCS 530/12 whenever his or her personal information was acquired by an unauthorized person; personal information means either:
 - a. An individual's first name or first initial and last name in combination with any one or more of his or her (i) social security number, (ii) driver's license number or State identification card number, (iii) financial account information (with any required security codes or passwords), (iv) medical information, (v) health insurance information, and/or (vi) unique biometric data or other unique physical or digital representation of biometric data, when either the name or the date elements are not encrypted or redacted or are encrypted or redacted but the keys to unencrypt or redact or otherwise read the name or data elements have been acquired through the breach of security; or
 - b. An individual's username or email address, in combination with a password or security question and answer that would permit access to an online account, when either the username or email address or password or security question and answer are not encrypted or redacted or are encrypted or redacted but the keys to

- unencrypt or unredact or otherwise read the data elements have been obtain through the breach of security.
6. Disposal of materials containing person information in a manner that renders the personal information unreadable, unusable, and undecipherable; personal information has the meaning stated in #5, above.
 7. Notification, within 45 days of the discovery of a security breach, to the Illinois Attorney General:
 - a. If the District suffers a breach of more than 250 Illinois residents; or
 - b. When the District provides notice as required in #5, above.
 8. All employees must be advised of this policy's existence and a copy of the policy must be made available to each employee. The policy must also be made available to any member of the public, upon request.

No District employee shall collect, store, use, or disclose an individual's social security number unless specifically authorized by the Superintendent. This policy shall not be interpreted as a guarantee of the confidentiality of social security numbers and/or other personal information. The District will use best efforts to comply with this policy, but this policy should not be construed to convey any rights to protection of information not otherwise afforded by law.

LEGAL REF.: 5 ILCS 179/, Identity Protection Act.
50 ILCS 205/3, Local Records Act.
105 ILCS 10/, Illinois School Student Records Act.
815 ILCS 530/, Personal Information Protection Act.

CROSS REF: 2:250 (Access to District Public Records), 5:150 (Personnel Records),
7:340 (Student Records)

Operational Services

Administrative Procedure - Protecting the Privacy of Social Security Numbers

Much of the District’s collection, storage, use, and disclosure of social security numbers apply to employee records only. But limited exceptions may exist where a school district may need to ask students or their parents/guardians to provide social security numbers. When the student social security numbers are involved, consult the Board attorney about the intersection of the Identity Protection Act (5 ILCS 179/), the Family Education Rights and Privacy Act, (20 U.S.C. §1232g), and the Ill. School Student Records Acts, (105 ILCS 10/).

Actor	Action
<p>Superintendent and business manager, and their designees</p>	<p>Identify the approved purposes for collecting SSNs, including:</p> <ol style="list-style-type: none"> 1. Employment matters, e.g., income reporting to IRS and the IL Dept. of Revenue, tax withholding, FICA, and Medicare. 2. Verifying enrollment in various benefit programs, e.g., medical benefits, health insurance claims, and veterans’ programs. 3. Filing insurance claims. 4. Internal verification or administrative purposes. 5. Other uses authorized and/or required by State law including, without limitation, in the following circumstances (5ILCS 179/10(c): <ol style="list-style-type: none"> a. Disclosing SSNs to another governmental entity if the disclosure is necessary for the entity to perform its duties and responsibilities; b. Disclosing a SSN pursuant to a court order, warrant, or subpoena; and c. Collecting or using SSNs to investigate or prevent fraud, to conduct background checks, to collect a debt, or to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act. <p>Identify a method for documenting the need and purpose for the SSN before its collection. 5 ILCS 179/10(b).</p> <p>Inform all employees of the District’s efforts to protect the privacy of SSNs. See Exhibit 4:15-E1, <i>Letter to Employees Regarding Protecting the Privacy of Social Security Numbers</i>.</p> <p style="padding-left: 40px;">While State law does not specifically require this step, the law contains mandates applicable to all employees that they need to know. Moreover, this letter provides an opportunity to increase awareness of the confidential nature of SSNs.</p> <p>Maintain a written list of each staff position that allows or requires access to SSNs.</p> <p style="padding-left: 40px;">The existence of a written list, even though not required, is important for recordkeeping and accountability purposes.</p>

Actor	Action
	<p>Require that employees who have access to SSNs in the course of performing their duties be trained to protect the confidentiality of SSNs. 5 ILCS 179/35(a)(2).</p> <p>Direct that only employees who are required to use or handle information or documents that contain SSNs have access to such information or documents. 5 ILCS 179/35(a)(3).</p> <p>Require that SSNs requested from an individual be provided in a manner that makes the SSN easily redacted if the record is otherwise required to be released as part of a public records request. 5 ILCS 179/35(a)(4).</p> <p>Require that, when collecting a SSN or upon request a <i>statement of the purpose(s)</i> for which the District is collecting and using the SSN be provided. 5 ILCS 179/35(a)(5). See Exhibit 4:15-E2, <i>Letter to Employees Regarding Protecting the Privacy of Social Security Numbers</i>.</p> <p>Require that, when employees who are required to use or handle information or documents that contain SSNs learn of a breach, they:</p> <ol style="list-style-type: none"> 1. Notify District administrators immediately, and 2. Ensure that notifications to the proper individuals occur, including the notifications listed within the Illinois Attorney General's guidance document on pages 7-11 at: www.illinoisattorneygeneral.gov/consumers/Security_Breach_Notification_Guidance.pdf. <p>Enforce the requirements in Board policy 4:15, <i>Identity Protection</i>, and this procedure.</p>
Records Custodian and Head of Information Technology (IT)	<p>Develop guidelines for handling social security numbers in electronic systems. These guidelines should address:</p> <ol style="list-style-type: none"> 1. The display of SSNs on computer terminals, screens, and reports; 2. The security protocol for storing SSNs on a device or system protected by a password or other security system and for accessing SSNs that are included in part of an electronic database; 3. The security protocol for deleting SSNs that are stored in electronic documents or databases; and 4. Alternate mechanisms for integrating data other than the use of SSNs.
Staff Development Head	<p>Design and execute a training program on protecting the confidentiality of SSNs for employees who have access to SSNs in the course of performing their duties.</p> <p>The training should include instructions on the proper handling of information that contains SSNs from the time of collection through the destruction of the information. 5 ILCS 179/35(a)(2).</p>

Actor	Action
Assistant Superintendents, Directors, Building Principals, and/or Department Heads	Require each staff member whose position allows or requires access to SSNs to attend training on protecting the confidentiality of SSNs. Instruct staff members whose position allows or requires access to SSNs to: <ol style="list-style-type: none"> 1. Treat SSNs as confidential information. 2. Never publically post or display SSNs or require any individual to verbally disclose his or her SSN. 3. Dispose of documents containing SSNs in a secure fashion, such as, by shredding paper documents and by deleting electronic documents as instructed by the IT Department. 4. Use SSNs as needed during the execution of their job duties and in accordance with the training and instructions that they received. Instruct staff members whose position do <u>not</u> require access to SSNs to notify a supervisor and/or the IT Department whenever a SSN is found in a document or other material, whether in paper or electronic form.
Freedom of Information Officer	Redact every SSN before allowing public inspection or copying of records responsive to a FOIA request. 5 ILCS 179/15.
Employees	Do not collect, use, or disclose another individual's SSN unless directed to do so by an administrator. If the employee is in a position that requires access to SSNs: Treat SSNs as confidential information and follow the instructions learned during training. If the employee is <u>not</u> in a position that requires access to SSNs: Notify his or her supervisor and/or the IT Department whenever the employee comes across a document or other material, whether in paper or electronic form, that contains a SSN.

Operational Services

Exhibit - Letter to Employees Regarding Protecting the Privacy of Social Security Numbers

On District Letterhead

Date

Re: Protecting the Privacy of Social Security Numbers (SSNs)

The Illinois Identity Protection Act, 5 ILCS 179/, contains requirements applicable to school districts and their employees. This letter's purpose is to help you understand the protections and requirements of this law.

In implementing this law and the Board's policy, I am seeking to:

1. Increase the awareness of the confidential nature of the SSN and the risk of identity theft related to unauthorized disclosure;
2. Have every employee understand that he or she is prohibited from collecting, displaying, or using another individual's SSN unless authorized by a member of the District administrative staff; and
3. Ensure the use of consistent protocol regarding SSNs throughout the District.

I have copied below sections of the Identity Protection Act that must be followed by every school employee. I have also attached the School Board's policy 4:15, *Identity Protection*. Please carefully read these documents. You will be contacted if you are scheduled to receive training on the protocol for collecting, using, maintaining, and disclosing SSNs.

An employee who has substantially breached the confidentiality of social security numbers may be subject to disciplinary action or sanctions up to and including dismissal, in accordance with District policy and procedures.

Sincerely,

Superintendent

**Attachment #1: Relevant Sections from the Identity Protection Act, 5 ILCS 179/
Section 10. Prohibited Activities.**

- (a) Beginning July 1, 2010, no person or State or local government agency may do any of the following:
 - (1) Publicly post or publicly display in any manner an individual's social security number.
 - (2) Print an individual's social security number on any card required for the individual to access products or services provided by the person or entity.
 - (3) Require an individual to transmit his or her social security number over the Internet, unless the connection is secure or the social security number is encrypted.

- (4) Print an individual's social security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or federal law requires the social security number to be on the document to be mailed. Notwithstanding any provision in this Section to the contrary, social security numbers may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the social security number. A social security number that may permissibly be mailed under this Section may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened.
- (b) Except as otherwise provided in this Act, beginning July 1, 2010, no person or State or local government agency may do any of the following:
 - (1) Collect, use, or disclose a social security number from an individual, unless (i) required to do so under State or federal law, rules, or regulations, or the collection, use, or disclosure of the social security number is otherwise necessary for the performance of that agency's duties and responsibilities; (ii) the need and purpose for the social security number is documented before collection of the social security number; and (iii) the social security number collected is relevant to the documented need and purpose.
 - (2) Require an individual to use his or her social security number to access an Internet website.
 - (3) Use the social security number for any purpose other than the purpose for which it was collected.
- (c) The prohibitions in subsection (b) do not apply in the following circumstances:
 - (1) The disclosure of social security numbers to agents, employees, contractors, or subcontractors of a governmental entity or disclosure by a governmental entity to another governmental entity or its agents, employees, contractors, or subcontractors if disclosure is necessary in order for the entity to perform its duties and responsibilities; and, if disclosing to a contractor or subcontractor, prior to such disclosure, the governmental entity must first receive from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements imposed under this Act on a governmental entity to protect an individual's social security number will be achieved.
 - (2) The disclosure of social security numbers pursuant to a court order, warrant, or subpoena.
 - (3) The collection, use, or disclosure of social security numbers in order to ensure the safety of: State and local government employees; persons committed to correctional facilities, local jails, and other law-enforcement facilities or retention

centers; wards of the State; and all persons working in or visiting a State or local government agency facility.

- (4) The collection, use, or disclosure of social security numbers for internal verification or administrative purposes.
 - (5) The disclosure of social security numbers by a State agency to any entity for the collection of delinquent child support or of any State debt or to a governmental agency to assist with an investigation or the prevention of fraud.
 - (6) The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.
- (d) If any State or local government agency has adopted standards for the collection, use, or disclosure of social security numbers that are stricter than the standards under this Act with respect to the protection of those social security numbers, then, in the event of any conflict with the provisions of this Act, the stricter standards adopted by the State or local government agency shall control.

Section 15. Public inspection and copying of documents.

Notwithstanding any other provision of this Act to the contrary, a person or State or local government agency must comply with the provisions of any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's social security number. A person or State or local government agency must redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents.

Section 20. Applicability.

- (a) This Act does not apply to the collection, use, or disclosure of a social security number as required by State or federal law, rule, or regulation.
- (b) This Act does not apply to documents that are recorded with a county recorder or required to be open to the public under any State or federal law, rule, or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois. Notwithstanding this Section, county recorders must comply with Section 35 of this Act.

Section 25. Compliance with federal law.

If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, any State or local government agency that complies with the federal law shall be deemed to be in compliance with this Act.

Section 30. Embedded social security numbers.

Beginning December 31, 2009, no person or State or local government agency may encode or embed a social security number in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of removing the social security number as required by this Act.

Section 45. Violation.

Any person who intentionally violates the prohibitions in Section 10 of this Act is guilty of a Class B misdemeanor.

Operational Services

Exhibit - Statement of Purpose for Collecting Social Security Numbers

This Statement of Purpose is being given to you because you have been asked by the School District to provide your social security number (SSN) or because you requested a copy of this Statement.

You are being asked for your SSN for one or more of the following reasons:

- Employment matters, e.g., income reporting to IRS and the IL Department of Revenue, tax withholding, FICA, or Medicare.
- Verifying enrollment in various benefit programs, e.g., medical or disability insurance and veterans' programs.
- Filing insurance claims.
- Internal verification or administrative purposes.
- Other: _____

In addition, State law authorizes and/or requires the District to use or disclose your SSN in specified circumstances including, without limitation, in the following circumstances:

1. Disclosing SSNs to another governmental entity if the disclosure is necessary for the entity to perform its duties and responsibilities;
2. Disclosing a SSN pursuant to a court order, warrant, or subpoena; and
3. Collecting or using SSNs to investigate or prevent fraud, to conduct background checks, to collect a debt, or to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act.

If you have questions or concerns, please contact *[insert contact information]*.

Operational Services

Exhibit - Statement for Employee Manual or District Website Describing the District's Purpose for Collecting Social Security Numbers

The School District treats social security numbers (SSNs) confidentially. It uses SSNs for one or more of the following reasons:

1. Employment matters, e.g., income reporting to IRS and the IL Department of Revenue, tax withholding, FICA, or Medicare.
2. Verifying enrollment in various benefit programs, e.g., medical or disability insurance and veterans' programs.
3. Filing insurance claims.
4. Internal verification or administrative purposes.

In addition, State law authorizes and/or requires the District to use or disclose SSNs in specified circumstances including, without limitation, in the following circumstances:

1. Disclosing SSNs to another governmental entity if the disclosure is necessary for the entity to perform its duties and responsibilities;
2. Disclosing a SSN pursuant to a court order, warrant, or subpoena; and
3. Collecting or using SSNs to investigate or prevent fraud, to conduct background checks, to collect a debt, or to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act.

If you have questions or concerns, please contact *[insert contact information]*.

Operational Services

Fund Balances

The Superintendent or designee shall maintain fund balances adequate to ensure the District's ability to maintain levels of service and pay its obligations in a prompt manner in spite of unforeseen events or unexpected expenses. The Superintendent or designee shall inform the Board whenever the District must draw upon its reserves or borrow money.

The School District seeks to maintain year-end fund balances no less than the range of 15-20 percent of the annual expenditures in each fund.

CROSS REF: 4:10 (Fiscal and Business Management), 4:80 (Accounting and Audits)

Operational Services

Revenue and Investments

Revenue

The Superintendent or designee is responsible for making all claims for property tax revenue, State Aid, special state funds for specific programs, federal funds, and categorical grants.

Investments

The Superintendent shall either appoint a Chief Investment Officer or serve as one. The Chief Investment Officer shall invest money that is not required for current operations, in accordance with this policy and State law.

The Chief Investment Officer and Superintendent shall use the standard of prudence when making investment decisions. They shall use the judgment and care, under circumstances then prevailing, that persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of their capital as well as its probable income.

Investment Objectives

The objectives for the School District's investment activities are:

1. **Safety of Principal**. Every investment is made with safety as the primary and overriding concern. Each investment transaction shall ensure that capital loss, whether from credit or market risk, is avoided.
2. **Liquidity**. The investment portfolio shall provide sufficient liquidity to pay District obligations as they become due. In this regard, the maturity and marketability of investments shall be considered.
3. **Rate of Return**. The highest return on investments is sought, consistent with the preservation of principal and prudent investment principles.

4. Diversification. The investment portfolio is diversified as to materials and investments, as appropriate to the nature, purpose, and amount of the funds.

Authorized Investments

The Chief Investment Officer may invest any District funds:

1. In bonds, notes, certificates of indebtedness, treasury bills or other securities now or hereafter issued, which are guaranteed by the full faith and credit of the United States of America as to principal and interest;
2. In bonds, notes, debentures, or other similar obligations of the United States of America or its agencies;

The term "agencies of the United States of America" includes: (i) the federal land banks, federal intermediate credit banks, banks for cooperative, federal farm credit banks, or any other entity authorized to issue debt obligations under the Farm Credit Act of 1971 and Acts amendatory thereto; (ii) the federal home loan banks and the federal home loan mortgage corporation; and (iii) any other agency created by Act of Congress.

3. In interest-bearing savings accounts, interest-bearing certificates of deposit or interest-bearing time deposits or any other investments constituting direct obligations of any bank as defined by the Illinois Banking Act;
4. In money market mutual funds registered under the Investment Company Act of 1940, provided that the portfolio of any such money market mutual fund is limited to obligations described in paragraph (1) or (2) of this subsection and to agreements to repurchase such obligations.
5. In money market mutual funds registered under the Investment Company Act of 1940, provided that the portfolio of any such money market mutual fund is limited to obligations described in paragraph (1) or (2) of this subsection and to agreements to repurchase such obligations.
6. Interest-bearing bonds of any county, township, city, village, incorporated town, municipal corporation, school district, the State of Illinois, any other state, or any political subdivision or agency of the State of Illinois or any other state, whether the interest earned is taxable or tax-exempt under federal law. The bonds shall be (a) registered in the name of the municipality, county, or other governmental unit, or held under a custodial agreement at a bank, and (b) rated at the time of purchase within the 4 highest general classifications established by a rating service of nationally recognized expertise in rating bonds of states and their political subdivisions.
7. In short term discount obligations of the Federal National Mortgage Association or in shares or other forms of securities legally issuable by savings banks or savings and loan associations incorporated under the laws of this State or any other state or under

the laws of the United States. Investments may be made only in those savings banks or savings and loan associations the shares, or investment certificates of which are insured by the Federal Deposit Insurance Corporation. Any such securities may be purchased at the offering or market price thereof at the time of such purchase. All such securities so purchased shall mature or be redeemable on a date or dates prior to the time when, in the judgment of the Chief Investment Officer, the public funds so invested will be required for expenditure by such public agency or its governing authority.

8. In dividend-bearing share accounts, share certificate accounts or class of share accounts of a credit union chartered under the laws of this State or the laws of the United States; provided, however, the principal office of any such credit union must be located within the State of Illinois. Investments may be made only in those credit unions the accounts of which are insured by applicable law.
9. In the Illinois School District Liquid Asset Fund Plus.

Investments may be made only in banks, savings banks, savings and loan associations, or credit unions that are insured by the Federal Deposit Insurance Corporation.

Selection of Depositories, Investment Managers, Dealers, and Brokers

The Chief Investment Officer shall establish a list of authorized depositories, investment managers, dealers and brokers based upon the creditworthiness, reputation, minimum capital requirements, qualifications under State law, as well as a long history of dealing with public fund entities. The Board will review and approve the list at least annually.

In order to be an authorized depository, each institution must submit copies of the last 2 sworn statements of resources and liabilities or reports of examination, which the institution is required to furnish to the appropriate state or federal agency. Each institution designated as a depository shall, while acting as such depository, furnish the District with a copy of all statements of resources and liabilities or all reports of examination, which it is required to furnish to the appropriate State or federal agency.

Collateral Requirements

All amounts deposited or invested with financial institutions in excess of any insurance limit shall be collateralized in accordance with the Public Funds Investment Act, 30 ILCS 235/. The Superintendent or designee shall keep the Board informed of collateral agreements.

Controls and Report

The Chief Investment Officer shall establish a system of internal controls and written operational procedures to prevent losses arising from fraud, employee error, misrepresentation by third parties, or imprudent employee action.

The Chief Investment Officer shall provide a semi-annual investment report to the Board. The report will: (1) assess whether the investment portfolio is meeting the District's investment objectives, (2) identify each security by class or type, book value, income earned, and market

value, (3) identify those institutions providing investment services to the District, and (4) include any other relevant information. The investment portfolio's performance shall be measured by appropriate and creditable industry standards for the investment type.

The School Board will determine, after receiving the Superintendent's recommendation, which fund is in most need of interest income and the Superintendent shall execute a transfer.

Ethics and Conflicts of Interest

The School Board and District officials will avoid any investment transaction or practice that in appearance or fact might impair public confidence. Board members are bound by the Board policy 2:100, *Board Member Conflict of Interest*. No District employee having influence on the District's investment decisions shall:

1. Have any interest, directly or indirectly, in any investments in which the District is authorized to invest.
2. Have any interest, directly or indirectly, in the sellers, sponsors, or managers of those investments.
3. Receive, in any manner, compensation of any kind from any investments in which the agency is authorized to invest.

LEGAL REF.: 30 ILCS 235/
105 ILCS 5/8-7, 5/17-1, and 5/17-11.

CROSS REF.: 2:100 (Board Member Conflict of Interest), 4:10 (Fiscal and Business Management), 4:80 (Accounting and Audits)

Operational Services

Incurring Debt

The Superintendent shall provide early notice to the School Board of the District's need to borrow money. The Superintendent or designee shall prepare all documents and notices necessary for the School Board, at its discretion, to: (1) issue State Aid Anticipation Certificates, tax anticipation warrants, working cash fund bonds, bonds, notes, and other evidence of indebtedness, or (2) establish a line of credit with a bank or other financial institution. The Superintendent shall notify the State Board of Education before the District issues any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in State law.

LEGAL REF.: 30 ILCS 305/2 and 352/1 et seq.
 50 ILCS 420/
 105 ILCS 5/17-16, 5/17-17, 5/18-18, and 5/19-1 et seq.

CROSS REF.: 4:10 (Fiscal and Business Management)

Operational Services

Insufficient Fund Checks and Debt Recovery

The Superintendent or designee is responsible for collecting the maximum fee authorized by State law for returned checks written to the District which are not honored upon presentation to the respective bank or other depository institution for any reason. The Superintendent is authorized to contact the Board's attorney whenever necessary to collect the returned check amount, fee, collection costs and expenses, and interest.

Delinquent Debt Recovery

The Superintendent is authorized to seek collection of delinquent debt owed the District to the fullest extent of the law.

A Local Debt Recovery Program may be available through the Illinois Office of the Comptroller (IOC) in the future. To participate in it, an intergovernmental agreement (IGA) between the District and the IOC must be in existence. y. The IGA establishes the terms under which the District may refer a delinquent debt to the IOC for an offset (deduction). The IOC may execute an offset in the amount of the delinquent debt owed to the District from a future payment that the State makes to an individual or entity responsible for paying the delinquent debt. : The Superintendent or designee shall execute the requirements of the IGA. While executing the requirements of the IGA, the Superintendent or designee is responsible, without limitation, for each of the following:

1. Providing a District-wide, uniform, method of notice and due process to the individual or entity against whom a claim for delinquent debt payment (*claim*) is made. Written notice and an opportunity to be heard must be given to the individual or entity responsible for paying a delinquent debt before the claim is certified to the IOC for offset. The notice must state the claim's amount, the reason for the amount due, the claim's date or time period, and a description of the process to challenge the claim. An individual or entity challenging a claim shall be provided an informal proceeding to refute the claim's existence, amount, or current collectability; the decision following this proceeding shall be reviewable. If a waiver of student fees is requested as a challenge to paying the claim, and the waiver of student fees is denied, an appeal of the denial of a fee waiver request shall be handled according to 4:140, *Waiver of Student Fees*. If no waiver of student fees is requested, reviews regarding payment of the claim shall be handled according to this policy before certification to the IOC for offset.
2. Certifying to the IOC that the debt is past due and legally enforceable, and notifying the IOC of any change in the status of an offset claim for delinquent debt.
3. Responding to requests for information from the IOC to facilitate the prompt resolution of any administrative review requests received by the IOC.

LEGAL REF.: 15 ILCS 405/10.05 and 10.05d
810 ILCS 5/3-806.

Adopted: January 12, 2004

Updated: September 27, 2010, December 17, 2012, June 22, 2015

Operational Services

Administrative Procedure - Insufficient Fund Checks

The following will occur whenever any individual writes a check to the District which is not honored upon presentation to the respective bank or other depository institution for any reason:

1. The Superintendent or school secretary will contact the individual by telephone or in writing as soon as the check is returned to the District. The individual will be asked to pay the returned check in cash or money order.
2. If the amount due is not paid after initial contact, the Superintendent or designee will send a letter by certified mail, return receipt requested, demanding payment within 30 days of mailing the letter. ¹
3. If the amount due is not paid within 30 days of mailing the demand letter, the Superintendent or designee will contact the school attorney for further collection action.
4. After three (3) checks from an individual have been returned due to non sufficient funds (NSF) during the course of a school year, the Superintendent will send a letter by certified mail, return receipt requested, stating that the District will no longer accept personal checks.

¹ A written demand is necessary in order to become eligible for any costs and expenses in excess of the \$25.00 collection fee (810 ILCS 5/3-806).

Operational Services

Payment Procedures

The Treasurer shall prepare a list of all due and payable bills, indicating vendor name and amount, and shall present it to the School Board in advance of the Board's regular monthly meeting. These bills shall be reviewed by the School Board, after which they may be approved for payment by School Board order. Approval of all bills shall be given by a roll call vote and the votes shall be recorded in the minutes. The Treasurer shall pay the bills after receiving a Board order or pertinent portions of the Board minutes, even if the minutes are unapproved, provided the order or minutes are signed by the Board President and Secretary, or a majority of the Board.

The Treasurer is authorized, without further Board approval, to pay Social Security taxes, wages, pension contributions, utility bills, credit card bills, and other recurring bills. These disbursements shall be included in the listing of bills presented to the School Board.

The Board authorizes the Superintendent or designee to establish revolving funds and a petty cash fund system for school cafeterias, lunchrooms, athletics, or similar purposes, provided such funds are maintained in accordance with Board policy 4:80, *Accounting and Audits*, and remain in the custody of an employee who is properly bonded according to State law.

LEGAL REF.: 105 ILCS 5/8-16, 5/10-7, and 5/10-20.19.

Operational Services

Exhibit - School District Payment Order

The Treasurer, _____, of the Winthrop Harbor School District No. 1

in Lake County, shall pay to the order of _____

the sum of _____ Dollars, for _____

By order of the School Board of the Winthrop Harbor School District No. 1.

Order Date: _____

President

Secretary

This order authorizes the Treasurer to pay a Board-approved bill before the meeting minutes are officially approved.

Operational Services

Use of Credit and Procurement Cards

The Superintendent and employees designated by the Superintendent are authorized to use District credit and procurement cards to simplify the acquisition, receipt, and payment of purchases and travel expenses incurred on the District's behalf. Credit and procurement cards shall only be used for those expenses that are for the District's benefit and serve a valid and proper public purpose; they shall not be used for personal purchases. Cardholders are responsible for exercising due care and judgment and for acting in the District's best interests.

The Superintendent or designee shall manage the use of District credit and procurement cards by employees. It is the Board's responsibility, through the audit and approval process, to determine whether District credit and procurement card use by the Superintendent is appropriate.

In addition to the other limitations contained in this and other Board policies, District credit and procurement cards are governed by the following restrictions:

1. Credit and/or procurement cards may only be used to pay certain job-related expenses or to make purchases on behalf of the Board or District or any student activity fund, or for purposes that would otherwise be addressed through a conventional revolving fund.
2. The Superintendent or designee shall instruct the issuing bank to block the cards' use at unapproved merchants.
3. Each cardholder, other than the Superintendent, may charge no more than \$500 in a single purchase and no more than \$1000 within a given month without prior authorization from the Superintendent.
4. The Superintendent or designee must approve the use of a District credit or procurement card whenever such use is by telephone, fax, and the Internet. Permission shall be withheld when the use violates any Board policy, is from a vendor whose reputation has not been verified, or would be more expensive than if another available payment method were used.
5. The consequences for unauthorized purchases include, but are not limited to, reimbursing the District for the purchase amount, loss of cardholding privileges, and, if made by an employee, discipline up to and including discharge.
6. All cardholders must sign a statement affirming that they are familiar with this policy.
7. The Superintendent shall implement a process whereby all purchases using a District credit or procurement card are reviewed and approved by someone other than the cardholder or someone under the cardholder's supervision.
8. Cardholders must submit the original, itemized receipt to document all purchases.

9. No individual may use a District credit or procurement card to make purchases in a manner contrary to State law, including, but not limited to, the bidding and other purchasing requirements in 105 ILCS 5/10-20.21, or any Board policy.
10. The Superintendent or designee shall account for any financial or material reward or rebate offered by the company or institution issuing the District credit or procurement card and shall ensure that it is used for the District's benefit.

LEGAL REF.: 105 ILCS 5/10-20.21.
23 Ill.Admin.Code §100.70(d).

CROSS REF.: 4:50 (Payment Procedures), 4:60 (Purchases and Contracts), 4:80 (Accounting and Audits), 4:90 (Activity Funds)

Operational Services

Administrative Procedure - Controls for the Use of District Credit and Procurement Cards

This procedure implements, and is subject to, Board policy 4:55, *Use of Credit and Procurement Cards*. The business office shall oversee the following controls:

Issue District credit and/or procurement cards to only authorized individuals.

1. Require prior authorization before issuing a card to any individual.
2. Have cardholders sign 4:55-E, *Cardholder's Statement Affirming Familiarity with Requirements for Using District Credit and/or Procurement Cards*.
3. Instruct cardholders:
 - a. In the proper use of cards, and;
 - b. How to document purchases, including the need to: (a) present an itemized receipt in addition to a credit or procurement card receipt for each item, (b) indicate the date, purpose, and nature of the charge on the receipt, and (c) identify the names of individuals for whom expenditures were incurred on the receipt.

Monitor that credit and/or procurement cards are being used for appropriate purchases.

1. Prohibit the use of District credit or procurement cards for personal expenses. Two problems prevent personal use pending later reimbursement – there is no guarantee of reimbursement and the practice is a *de facto* loan available only to certain employees.
2. Do not use cards that allow cash advances or cash back from purchases.
3. Establish reasonable credit limits for each purchase, transaction, and/or the balance total on each card. Reduce the limits on existing cards if necessary. Require prior authorization for purchases above these limits.
4. When a card is used for “emergency purposes,” require that the user clearly document the emergency situation that justified the need.
5. Block certain types of vendors or purchases using Merchant Category Codes – these categorize businesses by the products or services they provide. Request that the card issuer prohibit charges from dry cleaners, health or beauty spas, liquor stores, race tracks, casinos, churches, physicians, and other merchant categories the District will never use.
6. Perform scheduled and random analyses of individual cardholders. This includes examining the continued need for the card and the nature of purchases being made.
7. Perform scheduled and random analyses to determine whether Board policy is being followed.

Safeguard District credit and procurement cards.

1. Keep all cards in a secure location.
2. Issue cards only for the time period that they are needed.
3. Issue cards in the names of specific individuals to help maintain accountability.
4. Prohibit a card's use by anyone other than the individual to whom a card is issued.
5. Develop and follow procedures to cancel cards when lost or stolen and when individuals leave employment.
6. Cancel existing cards that are not needed or accounted for.
7. Review and update master credit card lists annually.

Monitor credit and/or procurement card statements.

1. Review statements and watch for suspicious activity, such as, unusual destinations or items, purchases from a vendor whose reputation has not been verified, or purchases that would have been less expensive if another available payment method had been used.
2. Have billing statements broken down by individual user.
3. Have a reconciliation process and timetable. This includes:
 - a. Reconciling credit card statements to itemized receipts and invoices;
 - b. Examining the documentation supporting purchases to ensure charges are authorized and reasonable;
 - c. Delegating approval, verification, and payment of bills to different individuals; and
 - d. Requiring someone other than the cardholder or an individual supervised by the cardholder to review and approve transactions.
4. In exceptional circumstances when the Superintendent approved a charge that would otherwise be disallowed, maintain a record documenting the Superintendent's approval as well as all other pertinent information about the charge.
5. Review all uses of a card via telephone, fax, and the Internet to be sure they were approved by the Superintendent or designee.
6. Establish a way of recouping inappropriate charges.
7. Do not use automatic payment deductions to pay credit or procurement card bills.
8. Pay bills on time to avoid paying fees and late charges.
9. Appropriately follow up on any discrepancies.
10. Verify that the items purchased were actually received.
11. Account for any financial or material reward or rebate offered by the company or institution issuing the District credit or procurement card and verify that it was used for the District's benefit.

The following District employees will be issued District credit and/or procurement cards. ¹ Other District employees may use a District credit and/or procurement card after receiving specific authorization from the Superintendent.

Employment Position	Authorized Use and Other Limitations
Superintendent	Actual and necessary expenses incurred in the performance of the Superintendent's duties. Expenses related to professional development.
Transportation Director	Expenses for maintaining and fueling District vehicles.
Assistant Superintendents	Actual and necessary expenses incurred in the performance of the job duties. Expenses related to professional development.
Building Principals	Purchases of materials and supplies for his or her building that must be made quickly and/or are too small to process through the regular procedure. Expenses from student activity funds for educational, recreational, or cultural purposes. Expenses related to professional development.

¹ This optional table must be customized to align with the district's practices.

Operational Services

Exhibit - Cardholder's Statement Affirming Familiarity with Requirements for Using District Credit and/or Procurement Cards

Cardholder's name

Cardholder's address

Position

Name of individual who authorized issuance of card.

I affirm that I am familiar with the Board's policy on using credit and procurement cards, that I understand my responsibilities regarding use of such cards, and that I agree to adhere to all requirements regarding such cards.

Cardholder's signature

Date

I provided a copy of this Statement along with a copy of the Board policy 4:55, *Use of Credit and Procurement Cards*, to the cardholder who signed this statement.

Office personnel

Date

Operational Services

Purchases and Contracts

The Superintendent shall manage the District's purchases and contracts in accordance with the law, the standards set forth in this policy, and other applicable School Board policies.

Standards for Purchasing and Contracting

All purchases and contracts shall be entered into in accordance with State law. The Board Attorney shall be consulted as needed regarding the legal requirements for purchases or contracts. All contracts shall be approved or authorized by the School Board.

All purchases and contracts should support a recognized District function or purpose as well as provide for good quality products and services at the lowest cost, with consideration for service, reliability, and delivery promptness, and in compliance with State law. No purchase or contract shall be made or entered into as a result of favoritism, extravagance, fraud, or corruption.

Adoption of the annual budget authorizes the Superintendent or designee to purchase budgeted supplies, equipment, and services provided that State law is followed. Purchases of items outside budget parameters require prior Board approval, except in an emergency.

When presenting a contract or purchase for Board approval, the Superintendent or designee shall ensure that it complies with applicable State law, including but not limited to, those specified below:

1. Supplies, materials, or work involving an expenditure in excess of \$25,000 must comply with the State law bidding procedure, 105 ILCS 5/10-20.21, unless specifically exempted.
2. Construction, lease, or purchase of school buildings must comply with State law and Board policy 4:150, *Facility Management and Building Programs*.
3. Guaranteed energy savings must comply with 105 ILCS 5/19b-1 et seq.
4. Third party non-instructional services must comply with 105 ILCS 5/10-22.34c.
5. Goods and services that are intended to generate revenue and other remunerations for the District in excess of \$1,000, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services, must comply with 105 ILCS 5/10-20.21. The Superintendent or designee shall keep a record of: (1) each vendor, product, or service provided, (2) the actual net revenue and non-monetary remuneration from each contract or agreement, and (3) how the revenue was used and to whom the non-monetary remuneration was distributed. The Superintendent or designee shall report this information to the Board by completing the necessary forms that must be attached to the District's annual budget.
6. Any contract to purchase food with a bidden or offeror must comply with 105 ILCS 5/10-20.21(b-10).

7. The purchase of paper and paper products must comply with 105 ILCS 5/10-20.19c and Board policy 4:70, *Resource Conservation*.
8. Each contractor with the District is bound by each of the following:
 - a. In accordance with 105 ILCS 5/10-21.9(f): (1) prohibit any of its employees who is or was found guilty of a criminal offense listed in 105 ILCS 5/21B-80(c) to have direct, daily contact at a District school or school-related activity with one or more student(s); (2) prohibits any of the contractor's employees from having direct, daily contact with one or more students if the employee was found guilty of any offense in 5/21B-80(b) (certain drug offenses) until seven years following the end of the employee's sentence for the criminal offense; and (3) require each of its employees who will have direct, daily contact with student(s) to cooperate during the District's fingerprint-based criminal history records check on him or her.
 - b. In accordance with 105 ILCS 5/24-5: (1) concerning each employee who begins providing services in the District after June 16, 2014, provide the District with evidence of physical fitness to perform the duties assigned and freedom from communicable disease if the employee will have direct, daily contact with one or more student(s); and (2) require any new or existing employee who has and will have direct, daily contact with one or more student(s) to complete additional health examinations as required by the District and be subject to additional health examinations, including tuberculosis screening, as required by the Illinois Department of Public Health rules or order of a local health official.

The Superintendent or designee shall : (1) execute the reporting and website posting mandates in State law concerning District contracts, and (2) monitor the discharge of contracts, contractors' performances, and the quality and value of services or products being provided.

LEGAL REF.: 105 ILCS 5/10-20.19c, 5/10-21.9, 5/10-20.21, 5/10-22.34c, 5/19b-1 et seq., and 5/24-5.
820 ILCS 130/.

CROSS REF.: 2:100 (Board Member Conflict of Interest), 4:70 (Resource Conservation), 4:150 (Facility Management and Building Programs), 4:175 (Convicted Child Sex Offender; Criminal Background Check and/or Screening; Notifications)

Operational Services

Administrative Procedure - Purchases

The Board Attorney should be consulted, as needed, regarding the legal requirements presented by this administrative procedure as well as before a contract is presented to the Board.

Requirements for Purchases and Contracts

- A. Each of the following requirements describes the type of purchase and/or contract to which it applies; requirements in Sections B and C may also apply to a specific purchase or contract.
 1. All purchases of goods or services must be made through the use of contracts or purchase orders, except for those purchases made from petty cash funds or the Imprest Fund, or as otherwise specifically authorized by the Superintendent.
 2. Illinois Use Tax compliance (105 ILCS 5/10-20.21(b) and 35 ILCS 105):
 - a. Persons bidding for and awarded a contract, and all affiliates of the person, must collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with the provision of the Illinois Use Tax Act.
 - b. All bids and contracts must include: (1) a certification that the bidder or contractor is not barred from bidding for or entering into a contract, and (2) an acknowledgment that the Board may declare the contract void if the certification is false.
 3. All entities seeking to enter into a contract with the District must provide written certification to the District that it will provide a drug free workplace by complying with the Illinois Drug Free Workplace Act, 30 ILCS 580. All contractors must comply with the notification mandates and other requirements in the Illinois Drug Free Workplace Act. "Contractor" is defined in the Illinois Drug Free Workplace Act as "a corporation, partnership, or other entity with 25 or more employees at the time of letting the contract, or a department, division, or unit thereof, directly responsible for the specific performance under a contract of \$5,000 or more."
 4. Before soliciting bids or awarding a contract for supplies, materials, equipment, or services, a certified education purchasing contract that is already available through a State education purchasing entity (as defined in the Education Purchasing Program, Article 28A of The School Code), may be considered as a bid. 105 ILCS 5/10-20.21(d).
 5. All contracts must include provisions required by State or federal law, as applicable. Topics commonly requiring a provision include equal opportunity employment, prevailing wage, minimum wage, and performance bond.
 6. The procurement of architectural, engineering, and land surveying services is governed by the Local Government Professional Services Selection Act, 50 ILCS 510/, implemented by 2:170-AP *Administrative Procedure – Qualified Based Selection*.

7. A list must be posted on the District's website, if any, or all contracts in excess of \$25,000 and any contract with an exclusive bargaining representative. 105 ILCS 5/10-20.44
 8. Each contractor with the District must comply with 105 ILCS 5/10-21.9(f) and agree to:
 - (a) not allow any of its employees to have direct, daily contact with one or more students if the employee was found guilty of any offense listed in 105 ILCS 5/10-21.9(c) or 5/21B-80(c);
 - (b) prohibits any its employees from having direct, daily contact with one or more students if the employee was found guilty of any offense in 5/21B-80(b) (certain drug offenses) until seven years following the end of the employee's sentence for the criminal offense ;
 - (c) require each of its employees who will have direct, daily contact with one or more student(s) to cooperate during the District's fingerprint-based criminal history records check on him or her; and
 - (d) reimburse the District for the cost of the fingerprint-based criminal history records check that the District obtains on each employee of a contractor who will have direct, daily contact with a student(s). See 4:60-AP3, *Criminal History Records Check of Contractor Employees*.
 9. Each contractor with the District must comply with 105 ILCS 5/24-5 and agree:
 - (a) concerning each employee who begins providing services in the District after June 16, 2014 who will have direct, daily contact with one or more student(s), to provide the District with evidence of physical fitness to perform the duties assigned and freedom from communicable disease; and
 - (b) to require any new or existing employee who has and will have direct, daily contact with one or more student(s) to complete additional health examinations as required by the District and be subject to additional health examinations, including tuberculosis screening, as required by the Illinois Department of Public Health rules or order of a local health official.
 10. Any contract to purchase food with a bidder or offeror must comply with 105 ILCS 5/10-20.21(b-10) (food donations).
- B. To the extent feasible, the following govern all purchases, and/or award of contracts for supplies, materials or work, and/or contracts with private carriers for transporting students involving:
 - (a) an expenditure of \$25,000 or less, or
 - (b) in an emergency, expenditures in excess of \$25,000, provided such expenditure is approved by three-quarters of the Board. See 105 ILCS 5/10-20.21 (3/4s of the Board must approve an emergency expenditure in excess of \$25,000 when the bidding process is not used) and 5/29-6.1 (time limitations for transportation contracts).
1. Telephone quotations, verbal quotations, or catalog prices are used to purchase materials that are needed urgently, or small quantity orders.
 2. Written quotations are used to purchase materials or services when time requirements allow. Whenever possible, quotations should be received from at least two competitors. The Superintendent or designee may negotiate with vendors at any time, including after receiving quotations.
- C. The following govern all purchases and/or award of contracts involving an expenditure in excess of \$25,000 for purchase of supplies and materials or work. 105 ILCS 5/10-20.21(a).

1. Contracts are awarded to the lowest responsible bidder, considering conformity with specifications, terms of delivery, quality and serviceability, except contracts or purchases for:
 - a. Services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part;
 - b. Printing of finance committee reports and departmental reports;
 - c. Printing or engraving of bonds, tax warrants, and other evidences of indebtedness;
 - d. Purchase of perishable foods and perishable beverages;
 - e. Materials and work that have been awarded to the lowest responsible bidder after due advertisement, but due to unforeseen revisions, not the fault of the contractor for materials and work, must be revised causing expenditures not in excess of 10% of the contract price;
 - f. Maintenance or servicing of, or provision of repair parts for, equipment which are made with the manufacturer or authorized service agent of that equipment where the provision of parts, maintenance, or servicing can best be performed by the manufacturer or authorized service agent;
 - g. Use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, and services;
 - h. Duplicating machines and supplies;
 - i. Natural gas when the cost is less than that offered by a public utility;
 - j. Equipment previously owned by some entity other than the District itself;
 - k. Repair, maintenance, remodeling, renovation, or construction, or a single project involving an expenditure not to exceed \$50,000 and not involving a change or increase in the size, type, or extent of an existing facility;
 - l. Goods or services procured from another governmental agency;
 - m. Goods or services that are economically procurable from only one source, such as for the purchase of magazines, books, periodicals, pamphlets and reports, and for utility services such as water, light, heat, telephone, or telegraph;
 - n. Emergency expenditures when such an emergency expenditure is approved by three-quarters of the members of the Board;
 - o. Goods procured through an education master contract, as defined in the Education Purchasing Program, Article 28A of The School Code; and
 - p. Providing for the transportation of students, which contracts must be advertised in the same manner as competitive bids and awarded by first considering the bidder(s) most able to provide safety and comfort for the students, stability of service, and any other factors set forth in the request for proposal regarding quality of service, and then price.
2. Competitive bidding process:
 - a. An invitation for bids is advertised, where possible, by public notice at least ten days before the bid date in a newspaper published in the District, or if no

- newspaper is published in the District, in a newspaper of general circulation in the area of the District. 105 ILCS 5/10-20.21(a).
- b. The following information should be included in the advertisement for bids:
 - 1) A description of the materials, supplies or work involved;
 - 2) Completion or delivery date requirements;
 - 3) Requirements for bids, bonds, and/or deposits;
 - 4) Requirements for performance, labor, and material payment bonds;
 - 5) Date, time, and place of the bid opening;
 - 6) The approximate time period between the opening of bids and the award of the contract; and
 - 7) Any other useful information.
 - c. If specifications are available, the advertisement for bids describes where they may be obtained and/or inspected.
 - d. All bids must be sealed by the bidder. 105 ILCS 5/10-20.21(a).
 - e. A Board member or District employee opens the bids at a public bid opening at which the contents are announced. 105 ILCS 5/10-20.21(a). With the exception of bids for construction purposes, bids may be communicated, accepted, and opened electronically. The following safeguards apply to an electronic bid opening (105 ILCS 5/10-20.21):
 - 1) On the date and time of a bid opening, the primary person conducting the electronic bid process shall log onto a specified database using a unique username and password previously assigned to the bidder to allow access to the bidder's specific bid project number.
 - 2) The specified electronic database must be on a network that: (i) is in a secure environment behind a firewall; (ii) has specific encryption tools; (iii) maintains specific intrusion detection systems; (iv) has redundant systems architecture with data storage back-up, whether by compact disc or tape; and (v) maintains a disaster recovery plan.
 - f. Each bidder is given at least 3 days' notice of the time and place of the bid opening. 105 ILCS 5/10-20.21(a).
 - g. Conduct that promotes deception and collusion during the bidding process is prohibited and may violate the Ill. Criminal Code, 720 ILCS 5/33E-1 et seq. Examples include interference with public contracting, bid-rigging, and acquisition or disclosure of bidding information by a public official.
3. Following the opening of bids, the Superintendent (and Board Attorney, if needed) determines the lowest responsible bidder and verify the bidders' qualifications. Contracts are awarded at a properly called open meeting of the Board. If the Superintendent recommends a bidder other than the lowest bidder, the Superintendent must provide the Board with the factual basis for the recommendation in writing. The Board, if it accepts a bid from a bidder other than the lowest, records the factual basis for its decision in its minutes. A contract arises only when the Board votes to accept a bid, although written notice of the award will later be given to the successful bidder.

4. Notwithstanding the foregoing, the District is relieved from bidding when making joint purchases with other public entities in compliance with the Governmental Joint Purchasing Act (30 ILCS 525/0.01).

LEGAL REF.: 30 ILCS 580/, Ill. Drug Free Workplace Act.
 50 ILCS 510/, Local Government Professional Services Selection Act.
 105 ILCS 5/10-20.21 and 5/10.44.

Operational Services

Administrative Procedure - Third Party Non-Instructional Contracts

When completed, this procedure documents that the requirements in 105 ILCS 5/10-22.34c have been fulfilled thereby allowing the School Board to approve a contract for third party non-instructional services currently performed by any employee or bargaining unit member. However, these conditions are not mandatory for the Board to enter into a contract, of no longer than 3 months in duration, with a third party for non-instructional services currently performed by an employee or bargaining unit member for the purpose of augmenting the current workforce in an emergency situation that threatens the safety or health of the District's students or staff, provided that the Board meets all of its obligations under the Illinois Educational Labor Relations Act.

Name or proposed contractor: _____

Name and description of proposed contract for third party non-instructional services: _____

Effective date of proposed contract: _____

Each of the following conditions must be checked to document that it was present or fulfilled:

- Any lay-off resulting from entering into the contract for third party non-instructional services will comply with the applicable collective bargaining agreement and/or Board policy 5:290, *Employment Terminations and Suspensions*.
- The proposed contract will not be entered into or become effective during the term of an applicable collective bargaining agreement covering any employees who perform the non-instructional services.
- The proposed contract will take effect upon or after the expiration of an existing collective bargaining agreement.
- The proposed contractor has submitted a bid that includes the following:
 - A. Evidence of liability insurance in scope and amount equivalent to the liability insurance provided by the Board pursuant to 105 ILCS 5/10-22.3;
 - B. A benefits package for the third party's employees who will perform the non-instructional services comparable to the benefits package provided to District employees who perform those services;
 - C. A list of the number of employees who will provide the non-instructional services, the job classifications of those employees, and the wages the proposed contractor will pay those employees;
 - D. A minimum 3-year cost projection, using generally accepted accounting principles, and which the proposed contractor is prohibited from increasing if the bid is accepted by the Board, for each and every expenditure category and account for performing the non-instructional services;

- E. Composite information about the criminal and disciplinary records, including alcohol or other substance abuse, Department of Children and Family Services complaints and investigations, traffic violations, and license revocations or any other licensure problems, of any employees who may perform the non-instructional services, provided that the individual names and other identifying information of employees need not be provided with the submission of the bid, but must be made available upon request of the Board; and
- F. An affidavit, notarized by the president or chief executive officer of the proposed contractor, that each of its employees has completed a criminal background check as required by 105 ILCS 5/10-21.9 within 3 months prior to submission of the bid, provided that the results of such background checks need not be provided with the submission of the bid, but must be made available upon request of the Board.
- The following is attached or otherwise available: a cost comparison, using generally accepted accounting principles, of each and every expenditure category and account that the District projects it would incur over the term of the contract if it continued to perform the non-instructional services using its own employees with each and every expenditure category and account that is projected the proposed contractor would incur if it performed the non-instructional services.
- The Board reviewed and considered all bids by third parties to perform the non-instructional services in open session of a regularly scheduled Board meeting, unless the exclusive bargaining representative of the employees who perform the non-instructional services, if any such exclusive bargaining representative exists, agreed in writing that such review and consideration could take place in open session at a specially scheduled Board meeting.
- Date of Board meeting: _____
- Each of the following occurred:
1. A minimum of one public hearing, conducted by the Board prior to a regularly scheduled Board meeting, to discuss the proposed contract was held before the Board entered such contract.
- Date of hearing: _____
2. The Board provided notice to the public of the date, time, and location of the first public hearing on or before the initial date that bids to provide the non-instructional services are solicited or a minimum of 30 days prior to entering into such a contract, whichever provides a greater period of notice.
- Date and manner of notice: _____
- The proposed contract contains provisions requiring the proposed contractor to offer available employee positions pursuant to the contract to qualified School District employees whose employment is terminated because of the contract.
- The proposed contract contains provisions requiring the proposed contractor to comply with a policy of nondiscrimination and equal employment opportunity for all persons and to take affirmative steps to provide equal opportunity for all persons.

Administrative Procedure - Criminal History Records Check of Contractor Employees

Actor	Action
<p>Firm contracting with the District, referred to herein as “contractor”</p>	<p>Prohibits any of the contractor’s employees from having direct, daily contact with one or more students if the employee was found guilty of any offense in 105 ILCS 5/10-21.9(c) or 5/21B-80(c), amended by P.A. 99-667.</p> <p>Prohibits any of the contractor’s employees from having direct, daily contact with one or more students if the employee was found guilty of any offense in 5/21B-80(b) (certain drug offenses) until seven years following the end of the employee’s sentence for the criminal offense.</p> <p>Requires each employee who will have direct, daily contact with student(s) to cooperate during the District’s fingerprint-based criminal history records check on him or her. 105 ILCS 5/10-21.9(f).</p> <p>Reimburses the District for the cost of the fingerprint-based criminal history records check that the District obtains on each employee of a contractor who will have direct, daily contact with student(s).</p>
<p>Superintendent or designee</p>	<p>Requires that the following paragraph be included in each contract with any firm whenever any employee of the firm will have direct, daily contact with one or more students.</p> <p style="padding-left: 40px;">The contractor shall not send to any school building or school property any employee or agent who has been convicted of a crime listed in 105 ILCS 5/10-21.9(c) and/or 5/21B-80(c), as amended from time to time, or who is listed in the Illinois Sex Offender Registry or the Illinois Murderer and Violent Offender Against Youth Registry. The contractor shall not send to any school building or school property any employee or agent who has been convicted of a crime listed in 105 ILCS 5/21B-80(b) (certain drug offenses) until seven years following the end of the employee’s sentence for the criminal offense. The contractor shall make every employee who will have direct, daily contact with one or more students available to the District for the purpose of submitting to a fingerprint-based criminal history records check. The check shall occur before any employee or agent is sent to any school building or school property. The contractor will reimburse the District for the cost of each check. The District must also provide a copy of the report to the individual employee of the contractor, but</p>

Actor	Action
	<p>is not authorized to release it to the contractor. Additionally, at least quarterly, the contractor shall check if any of its employees or agents having direct, daily contact with one or more students is listed on the Illinois Sex Offender Registry or the Illinois Murderer and Violent Offender Against Youth Registry.</p> <p>Completes the required forms to request a fingerprint-based criminal history record check on each contractor's employee who will have direct, daily contact with one or more students. 105 ILCS 5/10-21.9(f). See 5:30-AP2, <i>Investigations</i>. Screens the individual's name and address against the: (1) Illinois Sex Offender Registry, www.isp.state.il.us/sor/, and (2) the Violent Offender Against Youth Registry maintained by the Ill. State Police, www.isp.state.il.us/cmvo/.</p> <p>Whenever a contractor sends an employee who will have direct, daily contact with a student(s) to the District for the first time, ASKS the contractor:</p> <ol style="list-style-type: none"> 1. Will this employee be assigned to more than one school district? IF YES, may request the applicable Regional Superintendent to be responsible for obtaining a fingerprint-based criminal history records check and checking the Statewide Sex Offender Database for each such employee. The Regional Superintendent is required to promptly report to the District any information concerning the employee's record of conviction and identification as a sex offender. 105 ILCS 5/10-21.9(f). 2. Has another Illinois school district already conducted a fingerprint-based criminal history records check on the employee within the last year? IF YES, may request a copy of it for that contractor's employee from the school district where the contractor's employee worked or works. The District may rely on a check done by another district within the last year. 105 ILCS 5/10-21.9(h). <p>Note: State law does not define "within the last year."</p> <p>Upon a request from any school, school district, community college district, or private school for a copy of a fingerprint-based criminal history records check for an employee of a contractor, FIRST determines if the District conducted the check within the last year. IF YES, provides a copy of it to the requesting entity. 105 ILCS 5/10-21.9(h).</p> <p>Note: An immunity provision, contained in 20 ILCS 2635/7(A)(3), makes the District not liable to an individual for</p>

Actor	Action
	its reasonable actions taken in reliance on the individual's criminal history records information (CHRI) report. The District will lose the immunity if it was notified by the individual or by the ISP that the CHRI report is inaccurate or incomplete.

Cross Reference and Resource

1. ISBE's non-regulatory guidance document, Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel, at:
www.isbe.net/pdf/guidance_chr.pdf.
2. **Criminal History Records Check** in 5:30-AP2, *Investigations*.

Operational Services

Administrative Procedure - Federal Award Procurement Procedures

In addition to the State legal requirements for purchases and contracts set forth in Board policy 4:60, *Purchases and Contracts*, and 4:60-AP1, *Purchases*, the following procedures apply to District procurement under federal awards.

Consult the Board Attorney regarding the legal requirements presented by this administrative procedure as well as before a contract is presented to the Board.

Code of Conduct

Board policies 2:100, *Board Member Conflict of Interest*, and 5:120, *Employee Ethics; Conduct; and Conflict of Interest*, contain standards of conduct covering conflicts of interest and governing the actions of board members and employees engaged in the selection, award, and administration of contracts.

General Procurement Standards

- A. The District shall avoid acquisition of unnecessary or duplicative items. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. **Note:** A conflict between this regulation's requirements and the Illinois Criminal Code of 2012 may exist. See 720 ILCS 5/33E-2(i-5) and 5/33E-18 (prohibits bid stringing; violation is a Class 4 felony) and 720 ILCS 5/33E-3 (prohibits bid rigging, a Class 3 felony).
- B. To foster greater economy and efficiency, the District may enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.
- C. The District may use federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.
- D. The District may use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost. **Note:** A conflict between this regulation's requirements and the Illinois Criminal Code of 2012 may exist. See 720 ILCS 5/33E-2(i-5) and 5/33E-18 (defines and prohibits bid stringing, a Class 4 felony).
- E. The District shall only award contracts to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. **Note:** State law requires award to the "lowest responsible bidder."
- F. The District shall maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

- G. The District may use a time and materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. **Note:** The Illinois Criminal Code of 2012 (720 ILCS 5/33E-9) requires approval of the Board or designee when a contract cost increases or decreases by \$10,000, a/k/a *change orders*. If a change order will exceed the original contract price by 10%, it must be rebid.
- H. The District shall be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements.

Competition

- A. All procurement transactions shall be conducted in a manner providing full and open competition consistent with the standards of State law (105 ILCS 10-20.21) and policy 4:60 and this section. To ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Situations considered to be restrictive of competition include, but are not limited to:
1. Placing unreasonable requirements on firms in order for them to qualify to do business;
 2. Requiring unnecessary experience and excessive bonding;
 3. Noncompetitive pricing practices between firms or between affiliated companies;
 4. Noncompetitive contracts to consultants that are on retainer contracts;
 5. Organizational conflicts of interest;
 6. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
 7. Any arbitrary action in the procurement process.
- B. The District shall conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. **Note:** State law may also encourage or discourage these preferences. Discuss these with the Board Attorney. See also Doyle Plumbing and Heating Co. v. Bd. of Educ., Quincy Pub. Sch. Dist. No. 172, 291 Ill.App. 3d 221 (4th Dist. 1997); Cardinal Glass v. Bd. of Educ. of Mendota Comm. Consol. Sch. Dist. 289, 113 Ill.App. 3d 442 (3rd Dist. 1983). Nothing in this section preempts State licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract. **Note:** The Board must also follow the Local Government and Professional Services Selection Act (50 ILCS 510/).
- C. Procurement Transactions. All solicitations will:
1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured.

- a. Such description must not, in competitive procurements, contain features which unduly restrict competition.
 - b. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use.
 - c. Detailed product specifications should be avoided if at all possible.
 - d. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated.
2. Identify all requirements which offerors must fulfill and all other factors to be used in evaluating bids and proposals.
- D. The District shall ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. **Note:** State laws may conflict with this provision. See 105 ILCS 5/10-20.21 and 50 ILCS 510/.
 - E. The District shall not preclude potential bidders from qualifying during the solicitation period.

Methods of Procurement

The District shall use one of the following methods of procurement:

- A. Procurement by micro-purchases. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold. To the extent practicable, the District shall distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the Board considers the price to be reasonable. **Note:** See 105 ILCS 5/10-20.21 and sample policy 4:60, *Purchases and Contracts*.
- B. Procurement by small purchase procedures. Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.
- C. Procurement by sealed bids (formal advertising). Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. **Note:** 105 ILCS 5/10-20.21 requires "lowest responsible bidder." The sealed bid method is the preferred method for procuring construction, if the conditions in 2 C.F.R. §200.320(c)(1) apply. If sealed bids are used, the requirements in 2 C.F.R. §200.320(c)(2) apply. **Note:** 105 ILCS 5/10-20.21 requires sealed bids.
- D. Procurement by competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are

not appropriate for the use of sealed bids. If this method is used, the requirements in 2 C.F.R. §200.320(d) apply. **Note:** 105 ILCS 5/10-20.21 requires sealed bids.

- E. Procurement by noncompetitive proposals. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the circumstances in §200.320(f) apply. **Note:** 50 ILCS 510/ may conflict with this regulation.

Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms

The District shall take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps shall include:

- A. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- B. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- C. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- D. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- E. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- F. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (A) through (E) of this section.

Contract Cost and Price

- A. The District shall perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-federal entity must make independent estimates before receiving bids or proposals.
- B. The District shall negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.
- C. Costs or prices based on estimated costs for contracts under the federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the District under Subpart E, Cost Principles, of 2 C.F.R. Part 200.

- D. The cost plus a percentage of cost and percentage of construction cost methods of contracting shall not be used.

Federal Awarding Agency or Pass-Through Entity Review

The District shall make available, upon request of the federal awarding agency or pass-through entity (ISBE):

- A. Technical specifications on proposed procurements where the federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition; and
- B. Procurement documents (such as requests for proposals or invitations for bids, or independent cost estimates) for pre-procurement review when one or more of the circumstances in §200.324(b) apply.

Bonding Requirements

- A. For construction or facility improvement contracts or sub contracts exceeding the Simplified Acquisition Threshold, the federal awarding agency or pass-through entity may accept the bonding policy and requirements of the District provided that the federal awarding agency or pass-through entity has made a determination that the federal interest is adequately protected.
- B. If such a determination has not been made, the minimum requirements shall be as follows:
1. A bid guarantee from each bidder equivalent to five percent of the bid price. The *bid guarantee* must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
 2. A performance bond on the part of the contractor for 100 percent of the contract price. A *performance bond* is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.
 3. A payment bond on the part of the contractor for 100 percent of the contract price. A *payment bond* is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

Contract Provisions

The District's contracts shall contain the applicable provisions described in Appendix II to 2 C.F.R. Part 200, *Contract Provisions for non-Federal Entity Contracts Under Federal Awards*.

Operational Services

Exhibit - Internal Procedures for Procurement Transactions

Actor	Action
Staff Member	Identifies a procurement need and makes a written request to the appropriate department head and/or Building Principal.
Building Principal, appropriate department head or designee	Evaluates staff member's request by conducting a needs analysis, determining a funding source, and determining if request should be sent to the Business Manager and/or designee for further analysis. Note: The Principal's procurement role likely varies based upon each district and type of expense.
Business Manager and/or Designee	Upon request of the Building Principal, conducts further analysis of staff member's request in order to verify information and determine if funds are available. Provides Building Principal with results of further analysis.
Building Principal, appropriate department head or designee	Provides Superintendent and/or designee with staff member's written procurement request, his/her analysis of the staff member's request, and, if applicable, any further analysis conducted by the Business Manager and/or designee.
Superintendent and/or designee	Reviews staff member's request and analyses of same; evaluates educational value of procurement requested. Superintendent and/or designee may then: <ul style="list-style-type: none"> • Approve procurement request if below amount set by the School Board and/or State law (105 ILCS 5/10-20.21); • Deny procurement request; or • If procurement request amount exceeds the Superintendent's authority, seeks Board permission for procurement. See Policy 4:60, <i>Purchases and Contracts</i>, for the amount designated by the Board. When presenting a contract or purchase for Board approval, the Superintendent and/or designee shall ensure it complies with applicable State and federal law. See Policy 4:60, <i>Purchases and Contracts</i> .
School Board	Considers any procurement requests submitted by the Superintendent and/or designee. Considers any contract requests submitted by the Superintendent and/or designee.
Superintendent and/or designee	Identifies appropriate method of procurement and ensures appropriate method is followed.

Operational Services

Resource Conservation

The Superintendent or designee shall manage a program of energy and resources conservation for the District that includes:

1. Periodic review of procurement procedures and specifications to ensure that purchased products and supplies are reusable, durable, or made from recycled materials, if economically and practically feasible.
2. Purchasing recycled paper and paper products in amounts that will, at a minimum, meet the specifications in The School Code, if economically and practically feasible.
3. Periodic review of procedures on the reduction of solid waste generated by academic, administrative, and other institutional functions. These procedures shall: (a) require recycling the District's waste stream, including landscape waste, computer paper, and white office paper, if economically and practically feasible; (b) include investigation of the feasibility of potential markets for other recyclable materials that are present in the District's waste stream; and (c) be designed to achieve, before July 1, 2020, at least a 50% reduction in the amount of solid waste that is generated by the District.
4. Adherence to energy conservation measures.

LEGAL REF.: 105 ILCS 5/10-20.19c.

CROSS REF.: 4:60 (Purchases and Contracts), 4:150 (Facility Management and Building Programs)

Operational Services

Administrative Procedure - Resource Conservation ¹

I. Definitions:

- A. "De-inked stock" means paper that has been processed to remove inks, clays, coatings, binders, and other contaminants.
- B. "High grade printing and writing papers" includes offset-printing paper, duplicator paper, writing paper (stationery), tablet paper, office paper, note pads, xerographic paper, envelopes, form bond, including computer paper and carbonless forms, book papers, bond papers, ledger paper, book stock, and cotton fiber papers.
- C. "Paper and paper products" means high-grade printing and writing papers, tissue products, newsprint, unbleached packaging, and recycled paperboard.
- D. "Postconsumer material" means only those products generated by a business or consumer, which have served their intended end uses, and which have been separated or diverted from solid waste; wastes generated during the production of an end product are excluded. "Postconsumer material" includes:
 - 1. Paper, paperboard, and fibrous waste from retail stores, office buildings, homes and so forth, after the waste has passed through its end usage as a consumer item, including used corrugated boxes, old newspapers, mixed-waste paper, tabulating cards, and used cordage; and
 - 2. All paper, paperboard, and fibrous wastes that are diverted or separated from the municipal waste stream.
- E. "Recovered paper material" means paper waste generated after the completion of the papermaking process, such as postconsumer material, envelope cuttings, bindery trimmings, printing waste, cutting and other converting waste, butt rolls, and mill wrappers, obsolete inventories, and rejected unused stock. "Recovered paper material," however, does not include fibrous waste generated during the manufacturing process such as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), or fibrous by-products of harvesting, extraction or woodcutting processes, or forest residues such as bark. "Recovered paper material" includes:
 - 1. Postconsumer material;
 - 2. Dry paper and paperboard waste generated after completion of the papermaking process (that is, those manufacturing operations up to and including the cutting and trimming of the paper machine reel into smaller rolls or rough sheets), including envelope cuttings, bindery trimmings, and other paper and paperboard waste resulting from printing, cutting, forming and other converting operations, or from bag, box, and carton manufacturing, and butt rolls, mill wrappers, and rejected unused stock; and

¹ These regulations re-state State law omitting out-of-date references (105 ILCS 5/10-20.19c).

3. Finished paper and paperboard from obsolete inventories of paper and paperboard manufacturers, merchants, wholesalers, dealers, printers, converters or others.
 - F. "Recycled paperboard" includes paperboard products, folding cartons and pad backings.
 - G. "Tissue products" include toilet tissue, paper towels, paper napkins, facial tissue, paper doilies, industrial wipers, paper bags, and brown papers. These products shall also be unscented and shall not be colored.
 - H. "Unbleached packaging" includes corrugated and fiber storage boxes.
- II. Whenever economically and practically feasible, recycled paper and paper products shall be purchased according to 50% of the District's total dollar value of paper and paper products. Paper and paper products purchased from private sector vendors pursuant to printing contracts are exempted from this requirement.
 - III. Wherever economically and practically feasible, recycled paper and paper products shall contain post consumer or recovered paper materials as follows:
 - A. Recycled high-grade printing and writing paper shall contain at least 50% recovered paper material consisting of 50% de-inked stock or postconsumer material.
 - B. Recycled tissue products shall contain at least 45% postconsumer material.
 - C. Recycled newsprint shall contain at least 80% postconsumer material.
 - D. Recycled unbleached packaging shall contain at least 55% postconsumer material.
 - E. Recycled paperboard shall contain at least 95% postconsumer material.

These regulations do not apply to art materials, nor to any newspapers, magazines, textbooks, library books or other copyrighted publications that are purchased or used by the School Board or any school or attendance center within the District, or that are sold in any school supply store operated by or within any such school or attendance center. All paper purchased for publishing student newspapers must be recycled newsprint. **2**

LEGAL REF.: 105 ILCS 5/10-20.19c.

Operational Services

Accounting and Audits

The School District's accounting and audit services shall comply with the Illinois Program Accounting Manual, as adopted by the Illinois State Board of Education, and State law. The Superintendent, in addition to other assigned financial responsibilities, shall report monthly on the District's financial performance, both income and expense, in relation to the financial plan represented in the budget.

Annual Audit

At the close of each fiscal year, the Superintendent shall arrange an audit of the District funds, accounts, statements, and other financial matters. The audit shall be performed by an independent certified public accountant designated by the Board in conformance with prescribed standards and legal requirements. A complete and detailed written audit report shall be provided to each School Board member and to the Superintendent. The Superintendent shall annually, on or before October 15, submit an original and one copy of the audit to the Regional Superintendent of Schools.

Annual Financial Report

The Superintendent or designee shall annually prepare and submit the Annual Financial Report on a timely basis using the form adopted by the Illinois State Board of Education. The Superintendent shall review and discuss the Annual Financial Report with the Board before it is submitted.

Inventories

The Superintendent or designee is responsible for establishing and maintaining accurate inventory records that, at a minimum, comply with the Illinois Program Accounting Manual. The inventory record of supplies and equipment shall include a description of each item, quantity, location, purchase date, and cost or estimated replacement cost.

Disposition of District Property

The Superintendent or designee shall notify the Board, as necessary, of the following so that the Board may consider its disposition: (1) District personal property (property other than buildings and land) that is no longer needed for school purposes, and (2) school sites, buildings, or other real estate that is unnecessary, unsuitable, or inconvenient. Notwithstanding the above, the Superintendent or designee may unilaterally dispose of personal property of a diminutive value.

Taxable Fringe Benefits

The Superintendent or designee shall: (1) require that all use of District property or equipment by employees is for the District's convenience and best interests unless it is a Board-approved fringe benefit, and (2) ensure compliance with the Internal Revenue Service regulations regarding when to report an employee's personal use of District property or equipment as taxable compensation.

Controls for Revolving Funds and Petty Cash

Revolving funds and the petty cash system are established in Board policy 4:50, *Payment Procedures*. The Superintendent shall: (1) designate a custodian for each revolving fund

and petty cash fund, (2) obtain a bond for each fund custodian, and (3) maintain the funds in compliance with this policy, State law, and Illinois State Board of Education rules. A check for the petty cash fund may be drawn payable to the designated petty cash custodian. Bank accounts for revolving funds are limited to a maximum balance of \$500.00. All expenditures from these bank accounts must be directly related to the purpose for which the account was established and supported with documentation, including signed invoices or receipts. All deposits into these bank accounts must be accompanied with a clear description of their intended purpose. The Superintendent or designee shall include checks written to reimburse revolving funds on the Board's monthly listing of bills indicating the recipient and including an explanation.

Control Requirements for Checks

The Board must approve all bank accounts opened or established in the District's or a District school's name or with the District's Federal Employer Identification Number. All checks issued by the School District must be signed by either the Treasurer or Board President, except that checks from an account containing student activity funds and revolving accounts may be signed by the respective account custodian.

Internal Controls

The Superintendent is primarily responsible for establishing and implementing a system of internal controls for safeguarding the District's financial condition; the Board, however, will oversee these safeguards. The control objectives are to ensure efficient business and financial practices, reliable financial reporting, and compliance with State law and Board policies, and to prevent losses from fraud, employee error, misrepresentation by third parties, or imprudent employee action.

The Superintendent or designee shall annually audit the District's financial and business operations for compliance with established internal controls and provide the results to the Board. The Board may from time-to-time engage a third-party to audit internal controls in addition to the annual audit.

LEGAL REF.: 105 ILCS 5/2-3.27, 5/2-3.28, 5/3-7, 5/3-15.1, 5/5-22, 5/10-21.4, 5/10-20.19, 5/10-22.8, and 5/17-1 et seq.
23 Ill. Admin. Code Part 100

CROSS REF.: 4:10 (Fiscal and Business Management), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards), 4:90 (Activity Funds)

Operational Services

Activity Funds

The School Board, upon the Superintendent or designee's recommendation, establishes student activity funds to be managed by student organizations under the guidance and direction of a staff member for educational, recreational, or cultural purposes.

The Superintendent or designee shall be responsible for supervising student activity funds in accordance with Board policy, 4:80, *Accounting and Audits*; State law; and the Illinois State Board of Education rules for student activity funds. The Board will appoint a treasurer for each fund to serve as the fund's sole custodian and be bonded in accordance with The School Code. The treasurer shall have all of the responsibilities specific to the treasurer listed in the Illinois State Board of Education rules for school activity funds, including the authority to make loans between activity funds.

Unless otherwise instructed by the Board, a student activity fund's balance will carry over to the next fiscal year. An account containing student activity funds that is inactive for 12 consecutive months shall be closed and its funds transferred to another student activity fund with a similar purpose.

LEGAL REF.: 105 ILCS 5/8-2 and 5/10-20.19.
23 Ill. Admin. Code §§ 100.20 and 100.80.

CROSS REF.: 4:80 (Accounting and Audits), 7:325 (Student Fund-Raising Activities)

Operational Services

Insurance Management

The Superintendent shall annually recommend an insurance program that provides the broadest and most complete coverage available at the most economical cost, consistent with sound insurance principles.

The insurance program shall include:

1. Liability coverage to ensure against any loss or liability of the School District and the listed individuals against civil rights damage claims and suits, constitutional rights damage claims and suits, and death and bodily injury and property damage claims and suits, including defense costs, when damages are sought for negligent or wrongful acts allegedly committed in the scope of employment or under the Board's direction or related to any mentoring services provided to the District's certified staff members; ; School Board members;; employees;; volunteer personnel authorized by in 105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b;; mentors of certified staff members authorized in 105 ILCS 5/21A-5 et seq. (new teacher), 105 ILCS 5/2-3.53a (new principal), and 2-3.53b (new superintendents); and student teachers.
2. Comprehensive property insurance covering a broad range of causes of loss involving building and personal property. The coverage amount shall normally be for the replacement cost or the insurable value.
3. Workers' Compensation to protect the individual employees against financial loss in case of a work-related injury, certain types of disease, or death incurred in an employee-related situation.

Student Insurance

The Board shall annually designate a company to offer student accident insurance coverage. The Board does not endorse the plan nor recommend that parents/guardians secure the coverage, and any contract is between the parents/guardians and the company.

LEGAL REF.: Consolidated Omnibus Budget Reconciliation Act, P. L. 99-272, ¶ 1001, 100 Stat. 222, 4980B(f) of the I.R.S. Code, 42 U.S.C. § 300bb-1 et seq. 105 ILCS 5/10-22.3, 5/10-22.3a, 5/10-22.3b, 5/10-22.3f, 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.
215 ILCS 5/
820 ILCS 305/.

Operational Services

Transportation

The District may provide transportation to and from school-sponsored activities and may charge for such transportation.

The District may provide free transportation for all students in the District who resides: (1) at a distance of one and one-half miles or more from his or her assigned school, or (2) residing within one and one-half miles from his or her assigned schools where walking to school or to a pick-up point or bus stop would constitute a serious hazard due to vehicular traffic or rail crossing, and adequate public transportation is not available. A student's parent(s)/guardian(s) may file a petition with the School Board requesting transportation due to the existence of a serious safety hazard. Free transportation services and vehicle adaptation for special education students shall be provided if included in the students' individualized educational programs. Non-public school students shall be transported in accordance with State law. Homeless students shall be transported in accordance with the McKinney Homeless Assistance Act. Foster care students shall be transported in accordance with Section 6312(c)(5)(B) of the Elementary and Secondary Education Act.

If a student is at a location within the District, other than his or her residence, for child care purposes at the time for transportation to and/or from school, that location may be considered for purposes of determining the 1½ miles from the school attended. Unless the Superintendent or designee establishes new routes, pick-up and drop-off locations for students in day care must be along the District's regular routes. The District will not discriminate among types of locations where day care is provided, which may include the premises of licensed providers, relatives' homes, or neighbors' homes.

Bus schedules and routes shall be determined by the Superintendent or designee and shall be altered only with the Superintendent or designee's approval and direction. In fixing the routes, the pick-up and discharge points should be as safe and convenient for students as possible.

No school employee may transport students in school or private vehicles unless authorized by the administration.

Every vehicle regularly used for the transportation of students must pass safety inspections in accordance with State law and Illinois Department of Transportation regulations. The strobe light on a school bus may be illuminated any time a bus is bearing one or more students. The Superintendent shall implement procedures in accordance with State law for accepting comment calls about school bus driving.

All contracts for charter bus services must contain the clause prescribed by State law regarding criminal background checks for bus drivers.

Pre-Trip and Post-Trip Vehicle Inspection

The Superintendent or designee shall develop and implement a pre-trip and post-trip inspection procedure to ensure that the school bus driver: (1) tests the two-way radio or cellular radio device and ensures it is functioning properly before the bus is operated, and (2) walks to the rear of the bus before leaving the bus at the end of each route, work shift, or work day to check for children or other passengers in the bus.

- LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. § 11431 et seq.
105 ILCS 5/10-22.22 and 5/29-1 et seq.
105 ILCS 45/1-15.
625 ILCS 5/1-148.3a-5, 5/1-182, 5/11-1414.1, 5/12-815, 5/12-816,
5/12-821, and 5/13-109.
23 Ill. Admin. Code §§ 1.510a and 226.935.
92 Ill.Admin.Code §440-3.
- CROSS REF.: 5:100 (Staff Development), 5:120 (Ethics), 5:280 (Educational Support Personnel - Duties and Qualifications), 6:140 (Education of Homeless Children), 7:220 (Bus Conduct)
- ADMIN. PROC.: 4:110-AP2 (Post-Trip Inspection and School Bus Driving Comments),
6:140-AP (Education of Homeless Children)

Operational Services

Administrative Procedure - School Bus Post-Accident Checklist

Driver Post-Accident Procedures

1. Immediately notify the pre-designated emergency and police services, and administer first aid. As soon as possible, notify the District or transportation office.
2. When notifying the District or transportation office, give the following information:
 - Seriousness of the accident
 - Location and time of incident
 - Bus number and route number
 - School
 - Number of students on board
 - Extent of any injuries
 - Weather/road conditions
 - Any other pertinent information
3. Never leave your vehicle, either to check traffic or set out reflectors, when children are on board. Evacuate the bus according to the bus safety procedures. Stay with the children until help arrives. Do not release any student, even to parents, unless instructed to do so by the District or transportation office.
4. Set out reflectors, flares, flags, etc. only when the safety of all children is secure.
5. Stay vigilant for the continued safety of everyone at the scene and:
 - Never** attempt to direct traffic.
 - Never** move the vehicle before the police arrive, unless absolutely necessary to avoid a traffic hazard.
 - Never** discuss liability or fault, or sign anything until someone from the District or transportation office arrives.
 - Never** move an injured person unless the person's life is in jeopardy.
6. If your vehicle strikes an animal (pet), continue until it is safe to stop, keeping in mind that the sight of an injured pet could upset the children on the bus. Park the vehicle and radio the District or transportation office with the information. The office will notify the proper authorities.
7. The District or transportation office, when notifying the school, may suggest that personnel follow-up with students to minimize trauma or emotional after-effects.

Information Gathering

While at the accident scene the driver and/or transportation supervisor shall:

1. Obtain the name and age of every passenger on the bus.
2. Obtain the name and address of all witnesses.
3. Regarding other vehicles involved in the accident, obtain the:
 - Other drivers' names
 - Other drivers' license numbers

Other drivers' addresses and phone numbers
Make, model, year, and license plate numbers of other involved vehicles
Other drivers' insurance carrier information
Name, address, and phone numbers of passengers in other involved vehicles

District or Transportation Office Responsibilities

1. Confirm that police and emergency services as appropriate were notified. An ambulance need not be called to the accident scene unless there are obvious injuries or complaints.
2. Send a transportation supervisor to the accident scene to assist the bus driver.
3. Arrange for the parents of children on the bus to be contacted.
4. Arrange alternate transportation for the children.
5. Contact the District's insurance carrier as soon as possible and follow its instructions.
6. Help the bus driver complete accident report forms, including insurance forms.
7. Obtain any accident reports completed by third parties, including police reports.

Post-Accident Alcohol and Drug Testing 1

1. School bus drivers shall be provided the necessary post-accident alcohol and drug testing information, procedures, and instructions before operating a bus.
2. As soon as practicable after an accident involving a school bus, the driver shall be tested for alcohol and controlled substances if:
 - a. The accident involved the loss of human life;
 - b. The driver receives a citation for a moving traffic violation arising from the accident; or
 - c. A law enforcement officer directs that such a test be given. 2
3. If a required alcohol test is **not** administered:
 - a. Within 2 hours, the District must prepare and maintain a file or record stating why the test was not properly administered.
 - b. Within 8 hours, the District shall cease attempts to administer an alcohol test and shall prepare the same record.
4. If a required controlled substance test is **not** administered within 32 hours, the District shall cease attempts to administer the test, and shall prepare and maintain a file or record stating why the test was not properly administered.
5. No driver required to take a post-accident alcohol test shall use alcohol for 8 hours following the accident, or until undergoing a post-accident alcohol test.

Vehicle Inspection

Following an accident, each damaged bus component must be inspected before the bus is returned to service. 3

¹ This section's provisions are required by 49 C.F.R. §382.303. For drug and alcohol testing requirements, see policy 5:285, *Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers*; and administrative procedure 5:285-AP, *Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers*.

² 625 ILCS 5/6-516.

³ Required by 625 ILCS 5/13-109.

Operational Services

Administrative Procedure - Post-Trip Inspection and Bus Driving Comments

Bus/Vehicle Post-Trip Inspection ¹

All school bus drivers, whether employed by the School District or private sector school bus company, shall perform a visual sweep for sleeping children at the end of a route, work shift or workday by: (1) activating interior lights of the school bus to assist the driver in searching in and under each seat,² and (2) walking to the rear of the school bus/vehicle checking in and under each seat. ³

If a mechanical post-trip inspection reminder system is installed, the driver shall comply with the requirements of that system. ⁴

Bus Driving Comments ⁵

Each school bus and multifunction school activity bus shall display a sign at the rear, with letters and numerals readily visible and readable, in the following form:

TO COMMENT ON MY DRIVING, CALL [*insert District area code and telephone number*] ⁶

Driving comments shall be accepted in the following manner:

1. Calls to comment on school bus driving shall be directed to the Superintendent or designee.
2. The Superintendent or designee shall conduct an internal investigation of the events that led to each complaint. ⁷
3. The Superintendent or designee shall inform the commenting party of the results of any investigation and the action, if any, taken to remedy the situation. ⁸

¹ 625 ILCS 5/12-816(b) requires superintendents or private contractors to develop post-trip inspection procedures. 23 Ill.Admin.Code §1.510 requires school bus drivers to follow this procedure.

² Required by 625 ILCS 5/12-816(c).

³ Required by 625 ILCS 5/12-816(b).

⁴ Optional, but if the district has a mechanical post-trip inspection reminder system, it is required. 625 ILCS 5/12-816(d).

⁵ This section applies only to districts that own school buses. 625 ILCS 5/12-821 (b). The Ill. Vehicle Code requires school bus owners to display an area code and telephone number at the rear of all buses for the purpose of commenting on school bus driving. *Id.* at (a), amended by P.A. 95-655, eff. 1-1-10. It allows school bus owners who placed a sign without an area code pursuant to P.A. 95-176 to use that sign until the owner replaces the sign. School bus owners must also establish procedures for accepting calls and taking complaints. *Id.* at (b) and 92 Ill.Admin.Code §440-3.

⁶ An area code in addition to the telephone number of the school bus owner must be displayed, regardless of whether the owner is a school district or another person or entity. 625 ILCS 5/12-821(a), amended by P.A. 96-655, eff. 1-1-10. The procedure's language assumes the district owns the school bus.

School districts that do not own school buses may want to insert the following sentence:

The Superintendent will communicate regularly with the school bus owner to ensure bus driving comments are accepted and investigated in accordance with State law.

⁷ Required for districts that own school buses by 625 ILCS 5/12-821(c)(1).

⁸ Required for districts that own school buses by 625 ILCS 5/12-821(c)(2).

Operational Services

Administrative Procedure - School Bus Post-Accident Checklist

- I. Driver Post-Accident Procedures
 - A. Immediately notify the pre-designated emergency and police services, and administer first aid. As soon as possible, notify the District or transportation office.
 - B. When notifying the District or transportation office, give the following information:
 1. seriousness of the accident
 2. location and time of incident
 3. bus number and route number
 4. school
 5. number of students on board
 6. extent of any injuries
 7. weather/road conditions
 8. any other pertinent information
 - C. Never leave your vehicle, either to check traffic or set out reflectors, when children are on board. Evacuate the bus according to the bus safety procedures. Stay with the children until help arrives. Do not release any student, even to parents, unless instructed to do so by the District or transportation office.
 - D. Set out reflectors, flares, flags, etc. only when the safety of all children is secure.
 - E. *Never*:
 1. attempt to direct traffic
 2. move the vehicle before the police arrive, unless absolutely necessary to avoid a traffic hazard
 3. discuss liability or fault, or sign anything until someone from the District or transportation office arrives
 4. move an injured person unless the person's life is in jeopardy
 - F. If your vehicle strikes an animal (pet), continue until it is safe to stop, keeping in mind that the sight of an injured pet could upset the children on the bus. Park the vehicle and radio the District or transportation office with the information. The office will notify the proper authorities.
 - G. The District or transportation office, when notifying the school, may suggest that personnel follow-up with students to minimize trauma or emotional after-effects.
- II. Information Gathering. While at the accident scene the driver and/or transportation supervisor shall:

- A. Obtain the name and age of every passenger on the bus.
- B. Obtain the name and address of all witnesses.
- C. Regarding other vehicles involved in the accident, obtain the:
 - 1. other drivers' names
 - 2. other drivers' license numbers
 - 3. other drivers' addresses and phone numbers
 - 4. make, model, year, and license plate numbers of other involved vehicles
 - 5. other drivers' insurance carrier information
 - 6. name, address, and phone numbers of passengers in other involved vehicles

III. District or Transportation Office Responsibilities

- A. Confirm that police and emergency services as appropriate were notified. An ambulance need not be called to the accident scene unless there are obvious injuries or complaints.
- B. Send a transportation supervisor to the accident scene to assist the bus driver.
- C. Arrange for the parents of children on the bus to be contacted.
- D. Arrange alternate transportation for the children.
- E. Contact the District's insurance carrier as soon as possible and follow its instructions.
- F. Help the bus driver complete accident report forms, including insurance forms.
- G. Obtain any accident reports completed by third parties, including police reports.

IV. Post-Accident Alcohol and Drug Testing ¹

- A. School bus drivers shall be provided the necessary post-accident alcohol and drug testing information, procedures, and instructions before operating a bus.
- B. As soon as practicable after an accident involving a school bus, the driver shall be tested for alcohol and controlled substances if:
 - 1. the accident involved the loss of human life;
 - 2. the driver receives a citation for a moving traffic violation arising from the accident; or
 - 3. a law enforcement officer directs that such a test be given. ²
- C. If a required alcohol test is *not* administered:

¹ This section's provisions are required by 49 C.F.R. § 382.303. For drug and alcohol testing requirements, see policy 5:285 and administrative procedures 5:285-AP.

² 625 ILCS 5/6-516.

1. within 2 hours, the District must prepare and maintain a file or record stating why the test was not properly administered.
 2. within 8 hours, the District shall cease attempts to administer an alcohol test and shall prepare the same record.
- D. If a required controlled substance test is *not* administered within 32 hours, the District shall cease attempts to administer the test, and shall prepare and maintain a file or record stating why the test was not properly administered.
- E. No driver required to take a post-accident alcohol test shall use alcohol for 8 hours following the accident, or until undergoing a post-accident alcohol test.
- V. Vehicle Inspection. Following an accident, each damaged bus component must be inspected before the bus is returned to service. ³

³ Required by 625 ILCS 5/13-109.

Operational Services

Food Services

Good nutrition shall be promoted in the District's meal programs and in other food and beverages that are sold to students during the school day. The Superintendent shall manage a food service program that complies with this policy and is in alignment with School Board policy 6:50, *School Wellness*. Food or beverage items sold to students as part of a reimbursable meal under the School Breakfast Program or the National School Lunch Program must consist of nutritious, well-balanced, and age-appropriate meals that reflect food and nutrition requirements specified by the U.S. Dept. of Agriculture. The type and amounts of food and beverages sold to students before school and during the regular school day in any school that participates in the School Breakfast Program or the National School Lunch Program shall comply with any applicable mandates in the Illinois State Board of Education's School Food Service rule and the federal rules implementing the National School Lunch Act and Child Nutrition Act.

The food service program shall restrict the sale of foods of minimal nutritional value as defined by the U.S. Dept. of Agriculture in the food service areas during meal periods. All revenue from the sale of any food or beverages sold in competition with the School Breakfast Program or National School Lunch Program to students in food service areas during the meal period shall accrue to the nonprofit school lunch program account.

LEGAL REF.: B. Russell National School Lunch Act, 42 U.S.C. § 1751
7 C.F.R. Parts 210 and 220, Nutrition Standards in the National School
Lunch and School Breakfast Programs.
105 ILCS 125/
23 Ill.Admin.Code Part 305, School Food Service.

CROSS REF.: 4:130 (Free and Reduced-Price Food Services), 6:50 (School
Wellness)

Operational Services

Administrative Procedure - Food Services

This procedure applies only to schools that participate in the National School Lunch Act and Child Nutrition Act.

Food and Beverages Sold to Students

Food and beverages sold before school and during the regular school day must comply with both:

1. ISBE's School Food Service rule, 23 Ill.Admin.Code §305.15(a). However, this requirement does not apply to any food or beverages sold:
 - a. As part of reimbursable meal or to food sold within the food service areas during meal periods, 23 Ill.Admin.Code §305.15(b), or
 - b. To a student who presents written recommendation for the food or beverage signed by a physician licensed under the Medical Practice Act, 23 Ill.Admin.Code §305.15(c).
2. The federal rules implementing the National School Lunch Act and Child Nutrition Act, 7 C.F.R. Part 210.

Competitive Foods

"Competitive foods" are those foods or beverages sold in competition with the school's food service. The sale of competitive foods is restricted as follows:

1. Competitive foods that are identified in 7 C.F.R. §210.11 as having "minimal nutritional value" may not be sold in the food service area during meal periods. No competitive food or beverages may be sold without the prior approval of the Superintendent.
2. No confections, candy, or potato chips may be sold during meal periods in a school in which grade 5 or below operate, 23 Ill.Admin.Code §305.15(f)
3. Competitive foods, other than those of minimal nutritional value, may be sold to students in the food service areas during meal periods only if the income they generate accrues to the nonprofit school lunch program account, 23 Ill.Admin.Code §305.15(e).

LEGAL REF.: 42 U.S.C. §1779, 7 C.F.R. §210.11.
 23 Ill.Admin.Code Part 305, Food Program.

Operational Services

Free and Reduced-Price Food Services ¹

Notice

The Superintendent shall be responsible for implementing the District's free and reduced-price food services policy. ²

Eligibility Criteria and Selection of Children

A student's eligibility for free and reduced-price food services shall be determined by the income eligibility guidelines, family-size income standards, set annually by the U.S. Department of Agriculture and distributed by the Illinois State Board of Education. ³

Notification

At the beginning of each school year, by letter, the District shall notify students and their parent(s)/guardian(s) of: (1) eligibility requirements for free and reduced-price food service, (2) its application process, and (3) other information required by federal law. ⁴ The Superintendent shall provide the same information to informational media, the local unemployment office, and any major area employers contemplating layoffs. ⁵ Parent(s)/guardian(s) enrolling a child in the District for the first time, any time during the school year, shall receive the eligibility information.

Non-discrimination Assurance

The District shall avoid publicly identifying students receiving free or reduced-price meals and shall use methods for collecting meal payments which prevent identification of children receiving assistance. ⁶

Appeal from a Decision ⁷

A family may appeal the District's decision to deny an application for free and reduced-price food services or to terminate such services as outlined by the U.S. Department of Agriculture in 7 C.F.R. § 245.7, Determining Eligibility For Free and Reduced-Price Meals and Free Milk In Schools. The Superintendent shall establish a hearing procedure for adverse eligibility decisions and provide by mail a copy of them to the family. The District

¹ A policy on eligibility for free and reduced-price meals is required by 7 C.F.R. § 245.10 for districts participating in the National School Lunch or Breakfast Programs.

² Required by 7 C.F.R. § 245.10(a)(1).

³ Required by 7 C.F.R. § 245.3.

⁴ Required by 7 C.F.R. § 245.5(a)(1). Any changes in the eligibility criteria must be announced according to this paragraph (7 C.F.R. § 245.5(b)).

⁵ Required by 7 C.F.R. § 245.5(a)(2).

⁶ Required by 7 C.F.R. §§ 245.8 and 245.10(a)(4).

⁷ The provisions on appeal are required by 7 C.F.R. § 245.7. Minimal requirements of the hearing procedure are also found there.

may also use these procedures to challenge a child's continued eligibility for free or reduced-price meals or milk.

During an appeal, students previously receiving food service benefits shall not have their benefits terminated. Students who were denied benefits shall not receive benefits during the appeal.

The Superintendent shall keep on file for a period of 3 years a record of any appeals made and the hearing record. The District shall also maintain accurate and complete records showing the data and method used to determine the number of eligible students served free and reduced-price food services. These records shall be maintained for 3 years.

LEGAL REF.: U.S. Dept. of Agriculture, Food and Nutrition Service, National School Lunch Program, 7 C.F.R. Part 210.
U.S. Dept. of Agriculture, Food and Nutrition Service, Determining Eligibility for Free and Reduced-Price Meals and Free Milk In Schools, 7 C.F.R. Part 245.
105 ILCS 125/1.
23 Ill. Admin. Code §§ 1.520 and 305.10 et seq.

Operational Services

Waiver of Student Fees

The Superintendent will recommend to the Board for adoption what fees, if any, will be charged for the use of textbooks, consumable materials, extracurricular activities, and other school fees. Students will pay for loss of school books or other school-owned materials.

Fees for textbooks, other instructional materials, and driver education are waived for students who meet the eligibility criteria for fee waiver contained in this policy. In order that no student is denied educational services or academic credit due to the inability of parents/guardians to pay fees and charges, the Superintendent will recommend to the Board for adoption what additional fees, if any, the District will waive for students who meet the eligibility criteria for fee waiver. Students receiving a fee waiver are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment.

Students shall not be denied educational services or academic credit due to the inability of parent(s)/guardian(s) to pay fees and charges.

Notification

The Superintendent shall ensure that applications for fee waivers are widely available and distributed according to State law and ISBE rule and that provisions for assisting parents/guardians in completing the application are available.

Eligibility Criteria

A student shall be eligible for a fee waiver when:

1. The student currently lives in a household that meets the free lunch or breakfast eligibility guidelines established by the federal government pursuant to the National School Lunch Act, 42 U.S.C. §1758; 7 C.F.R. Part 245; or
2. The student or student's family is currently receiving aid under Article IV of The Illinois Public Aid Code (Aid to Families with Dependent Children).

The Superintendent or designee will give additional consideration where one or more of the following factors are present:

- Illness in the family;
- Unusual expenses such as fire, flood, storm damage, etc.;
- Seasonal unemployment;
- Emergency situations;
- When one or more of the parent(s)/guardian(s) are involved in a work stoppage.

Verification

The Superintendent or designee must follow the verification requirements of 7 C.F.R. 245.6a when using the free lunch or breakfast eligibility guidelines pursuant to The National School Lunch Act as the basis for waiver of the student's fee(s).

When using a District established or other independent verification process, the Superintendent or designee may not require verification more often than every 60 calendar days. The Superintendent or designee shall not use any information from any independent verification process to determine free lunch or breakfast eligibility pursuant to The National School Lunch Act.

Determination and Appeal

The Superintendent or designee will notify the parent(s)/guardian(s) promptly as to whether the fee waiver request has been granted or denied. The denial of a fee waiver request may be appealed to the Superintendent by submitting the appeal in writing to the Superintendent within 14 days of the denial. The Superintendent or designee shall respond within 14 days of receipt of the appeal. The Superintendent's decision may be appealed to the School Board. The decision of the Board is final and binding.

Questions regarding the fee waiver request process should be addressed to the Building Principal's office.

LEGAL REF.: 105 ILCS 5/10-20.13 and 5/10-22.25.
23 Ill. Admin. Code § 1.245 [unenforceable].

CROSS REF.: 4:130 (Free and Reduced-Price Food Services)

Operational Services

Administrative Procedure - Fines, Fees, and Charges - Waiver of Student Fees

Actor	Action
Superintendent or designee	<p>Notifies parents/guardians of all students enrolling in the District for the first time that the District waives school fees for persons unable to afford them in accordance with policy 4:140, <i>Waiver of Student Fees</i>.</p> <p>The notice may consist of a written copy of the District's policy 4:140, <i>Waiver of Student Fees</i>, and form 4:140-E1, <i>Application for Fee Waiver</i>.</p> <p>Includes a notice with the first statement sent to parents/guardians who owe fees that the District waives school fees for persons unable to afford them in accordance with policy 4:140, <i>Waiver of Student Fees</i>, and form 4:140-E1, <i>Application for Fee Waiver</i>.</p>
Parent(s)/Guardian(s) seeking a school fee waiver	<p>Completes the <i>Application for Fee Waiver</i>, 4:140-E1, and returns it to the Building Principal.</p> <p>In cases where, for various reasons, a parent/guardian does not initiate a request, the classroom teacher or other official may complete an application to establish eligibility.</p> <p>May apply for a waiver of school fees by completing the <i>Application for Fee Waiver</i>, 4:140-E1, at any time.</p>
Building Principal or designee	<p>Determines the student's eligibility for fee waiver based on policy 4:140, <i>Waiver of Student Fees</i>.</p> <p>Notifies the parent(s)/guardian(s) within 30 calendar days of the acceptance or denial of their <i>Application for Fee Waiver</i>.¹</p> <p>A rejection notice must include: (1) the reason for the denial; (2) a notification of their right to appeal as well as the appeal process and timelines (4:140-E2, <i>Response to Application for Fee Waiver, Appeal, and Response to Appeal</i>); and (3) a statement that they may reapply at anytime if circumstances change.</p> <p>Ensures that any completed <i>Application for Fee Waiver</i> and the <i>Response to Application for Fee Waiver, Appeal, and Response to Appeal</i> are confidentially treated and maintained.</p>
Parent(s)/Guardian(s)	May appeal the denial of a fee waiver application by

¹ 23 Ill.Admin.Code §1.245.

Actor	Action
seeking a school fee waiver	submitting the appeal in writing to the Superintendent within 14 calendar days of the denial; any appeal received after 14 calendar days will either be considered or treated as a new application depending on circumstances. 2 [optional] Meets with the person who will decide the appeal in order to explain why the fee waiver should be granted. 3
Superintendent or designee	Contacts the parent(s)/guardian(s) to determine if they want to meet to explain why the fee waiver should be granted. If so, meets with the parent(s)/guardian(s) at a prearranged date and time. Responds in writing to the parent(s)/guardian(s)' appeal within 14 calendar days of receipt of the appeal. 4
Parent(s)/Guardian(s)	If the Superintendent or designee denies the appeal, may submit a written appeal to the School Board.
School Board	Responds to the appeal in a reasonable length of time. The Board's decision is final.

2 State law does not provide an appeal process. The 14-day deadline is in 4:140, *Waiver of Student Fees*. However, failure to comply with this deadline may not be used to prevent the parent(s)/guardian(s) from seeking a fee waiver.

3 23 Ill.Admin.Code §1.245.

4 23 Ill.Admin.Code §1.245 requires that an appeal be decided within 30 calendar days of the receipt of appeal request. However, in order to expedite the process, the policy requires the appeal to be decided within 14 days. This timeline may be extended up to 30 calendar days but consistency between policy and procedures is needed.

Operational Services

Exhibit - Application for Fee Waiver

This application for a school fee waiver is completely independent from the District process for determining eligibility for free meals. The information must be provided for your application to be considered. Submit completed application and income verification documents to the Building Principal.

Student's Name (please print)

School

Parent/Guardian Name (please print)

Address (please print)

1. The student named above lives in my household? Yes No
2. Total number of people living in my home _____
 Number of adults: ____
 Number of minors: ____
3. Total gross annual household income (before deductions) from all people living in my home
 \$ _____

The above number must include all:

Compensation for services, wages, salary, commissions or fees;
 Net income from self-employment;
 Social Security;
 Dividends or interest on savings or bonds or income from estates or trusts;
 Net rental income;
 Public assistance or welfare payments;
 Unemployment compensation;
 Government civilian employee or military retirement, or pensions or veterans payments;
 Private pensions or annuities;
 Alimony or child support payments;
 Regular contributions from persons not living in the household;
 Net royalties; and
 Other cash income (including cash amounts received or withdrawn from any source including savings, investments, trust accounts and other resources).

4. My household meets the federal income guidelines for free meals (attached)?
 Yes No N/A

See www.isbe.net/nutrition/htmls/data.htm#income.

If you answered "No" to any of the previous questions, please indicate the reason(s) you are applying for a waiver of school fees.

Income Verification for Fee Waiver

You must present documents to verify income. Such documents may include, but are not limited to:

- | | |
|--------------------------------------------------------|------------------------------|
| Two pay stubs for each working member of household | Disability benefit statement |
| Unemployment statement showing benefits | Current tax returns |
| Medicaid Card showing case number | Foster placement papers |
| Direct Certification letter from the State of Illinois | Food Stamp Evidence |
| Temporary Food assistance for needy families | |

You may be requested to provide updated income verification at any time, but no more often than once every 60 calendar days.

Supplying false information to obtain a fee waiver is a Class 4 felony (720 ILCS 5/17-6).

I attest that the statements made herein are true and correct.

Parent/Guardian (*signature*)

Date

Operational Services

Exhibit - Response to Application for Fee Waiver, Appeal, and Response to Appeal

Response to Application for Fee Waiver (To Parents)

Student's Name *(please print)*

School

Request granted Request denied for the following reason(s):

If your request was denied, you may appeal in writing by completing the following portion of this form and submitting it to the Superintendent within 14 days of your receipt of this decision. If you appeal this decision, you have the right to meet with the Superintendent or designee to explain why the fee waiver should be granted. You may reapply at any time if circumstances change.

 Building Principal

 Date

Appeal of Denial of Fee Waiver (To be submitted to the Superintendent)

- I am exercising my right to appeal the Building Principal's denial of my request to waive the fee described above.
- I would like to explain why the fee waiver should be granted during a telephone conversation or during a meeting with the person who will decide my appeal. *(If you check this box, someone from the Superintendent's office will contact you to make arrangements.)*

 Parent/Guardian *(please print)*

 Telephone Number

 Signature

 Date

The Superintendent's office will notify you of the results of your appeal in approximately 14 calendar days.

Response to Appeal Fee Waiver Denial (To Parents)

- I have reviewed your appeal.
- Request granted Request denied for the following reason(s):

 Superintendent

 Date

Operational Services

Facility Management and Building Programs

The Superintendent shall manage the District's facilities and grounds as well as facility construction and building programs in accordance with the law, the standards set forth in this policy, and other applicable School Board policies. The Superintendent or designee shall facilitate: (1) inspections of schools by the Regional Superintendent and State Fire Marshal or designee, and (2) review of plans and specifications for future construction or alterations of a school if requested by the relevant municipality, county (if applicable), or fire protection district.

Standards for Managing Buildings and Grounds

All District buildings and grounds shall be adequately maintained in order to provide an appropriate, safe, and energy efficient physical environment for learning and teaching. The Superintendent or designee shall provide the Board with periodic reports on maintenance data and projected maintenance needs that include cost analysis. Prior Board approval is needed for all renovations or permanent alterations to buildings or grounds when the total cost will exceed \$ 12,500, including the cost equivalent of staff time. This policy is not intended to discourage efforts to improve the appearance of buildings or grounds that are consistent with the designated use of those buildings and grounds.

Standards for Green Cleaning

For each District school with 50 or more students, the Superintendent or designee shall establish and supervise a green cleaning program that complies with the guidelines established by the Illinois Green Government Coordinating Council.

Standards for Facility Construction and Building Programs

As appropriate, the Board will authorize a comprehensive study to determine the need for facility construction and expansion. On an annual basis, the Superintendent or designee shall provide the Board with projected facility needs, enrollment trends, and other data impacting facility use. Board approval is needed for all new facility construction and expansion.

When making decisions pertaining to design and construction of school facilities, the Board will confer with members of the staff and community, the Illinois State Board of Education, and educational and architectural consultants, as it deems appropriate. The Board's facility goals are to:

1. Integrate facilities planning with other aspects of planning and goal-setting.
2. Base educational specifications for school buildings on identifiable student needs.
3. Design buildings for sufficient flexibility to permit new or modified programs.
4. Design buildings for maximum potential for community use.

5. Meet or exceed all safety requirements.
6. Meet requirements on the accessibility of school facilities to disabled persons as specified in State and federal law.
7. Provide for low maintenance costs, energy efficiency, and minimal environmental impact.

Naming Buildings and Facilities

Recognizing that the name for a school building, facility, or ground or field reflects on its public image, the Board's primary consideration will be to select a name that enhances the credibility and stature of the school or facility. Any request to name or rename an existing facility should be submitted to the Board. When a facility is to be named or renamed, the Board President will appoint a special committee to consider nominations and make a recommendation, along with supporting rationale, to the Board. The Board will make the final selection. The Superintendent or designee may name a room or designate some area on a school's property in honor of an individual or group that has performed outstanding service to the school without using the process in this policy.

LEGAL REF.: 42 U.S.C. §12101 et seq.
 20 ILCS 3130/, Green Buildings Act.
 105 ILCS 5/10-20. 49, 5/10-22.36, 5/17-2.11, 140, and 230/5-1 etseq.
 410 ILCS 25/, Environmental Barriers Act.
 820 ILCS 130/, Prevailing Wage Act.
 Ill.Admin.Code Part 151, School Construction Program, and Part 180,
 Health/Life Safety Code for Public Schools; and Part 2800, Green
 Cleaning for Elementary and Secondary Schools.
 71 Ill.Admin.Code. Part 400, Illinois Accessibility Code

CROSS REF.: 2:150 (Committees)
 2:170 (Procurement of Architectural, Engineering, and Land
 Surveying Services)
 4:60 (Purchases and Contracts)
 8:70 (Accommodating Individuals with Disabilities)

Operational Services

Environmental Quality of Buildings and Grounds

The Superintendent shall take all reasonable measures to protect: (1) the safety of District personnel, students, and visitors on District premises from risks associated with hazardous materials and (2) the environmental quality of the District's buildings and grounds. Before pesticides are used on District premises, the Superintendent or designee shall notify employees and parents/guardians of students as required by the Structural Pest Control Act, 225 ILCS 235/, and the Lawn Care Products Application and Notice Act, 415 ILCS 65/.

- LEGAL REF.: 29 C.F.R. Part 1910.1030, as adopted by the Illinois Department of Labor, 56 Ill.Admin.Code §350.300(c).
20 ILCS 3130/, Green Buildings Act.
105 ILCS 5/10-20.17a; 5/10-20.48; 135/; and 140/, Green Cleaning School Act.
225 ILCS 235/, Structural Pest Control Act.
415 ILCS 65/, Lawn Care Products Application and Notice Act.
820 ILCS 255/, Toxic Substances Disclosure to Employees Act.
23 Ill.Admin.Code §1.330, Hazardous Materials Training.
56 Ill.Admin.Code Part 205, Toxic Substances Disclosure To Employees.
- CROSS REF.: 4:150 (Facility Management and Building Programs), 4:170 (Safety)
- ADMIN. PROC.: 4:160-AP (Administrative Procedure - Environmental Quality of Buildings and Grounds)

Operational Services

Administrative Procedure - Environmental Quality of Buildings and Grounds

Hazardous and/or Infectious Materials

A hazardous and/or infectious material is any substance, or mixture of substances, that constitutes a fire, explosive, reactive, or health hazard. The following are examples of such materials:

- Any item contained in the definition of "toxic substance" in the Toxic Substances Disclosure to Employees Act (820 ILCS 255/)
- An item or surface that has the presence of, or may reasonably be anticipated to have the presence of, blood or other bodily fluids
- Non-building related asbestos materials
- Lead and lead compounds (included in school supplies, i.e., art supplies, ceramic glazes)
- Compressed gases (natural gas); and explosive (hydrogen), poisonous (chlorine), or toxic gases (exhaust gases, such as, carbon monoxide)
- Solvents (gasoline, turpentine, mineral spirits, alcohol, carbon tetrachloride)
- Liquids, compounds, solids or other hazardous chemicals that might be toxic, poisonous, or cause serious bodily injury
- Materials required to be labeled by the Department of Agriculture or the EPA (pesticides, algaecide, rodenticide, bactericides)
- Regulated underground storage tank hazardous materials (including diesel fuel, regular and unleaded gasoline, oil (both new and used), and propylene glycol)

The Buildings and Grounds Supervisor is responsible for compliance with State and federal law, including the Toxic Substances Disclosure to Employees Act (820 ILCS 255/), and shall:

1. Maintain a perpetual inventory of hazardous materials.
2. Make available inventory lists to the appropriate police, fire, and emergency service agencies.
3. Compile Material Safety Data Sheets (MSDS) for each toxic substance used, produced, or stored to which an employee may be exposed, and distribute them as appropriate. Update the data sheets when necessary.
4. Submit to the Director of the Illinois Department of Labor, as required, an alphabetized list of substances, compounds, or mixtures for which the District has acquired a MSDS.
5. Make available MSDS to all persons requesting the information.
6. Store hazardous or toxic materials in compliance with local, State, and federal law. Storage containers must be labeled with the chemical name and appropriate warning hazards and stored in a location that limits the risk presented by the materials. Containers must be stored in a limited-access area.

7. Transport hazardous materials in a manner that poses the least possible risk to persons and the environment and that is in compliance with local, State, and federal law.
8. Classify hazardous materials as current inventory, waste, excess, or surplus. Dispose of hazardous materials in accordance with local, State, and federal law.
9. Post information regarding employee rights under the Act on employee bulletin boards throughout the District.
10. Provide an education and in-service training program with respect to all toxic substances to which employees are routinely exposed in the course of employment.

Pesticide Application on School Grounds

The Buildings and Grounds Supervisor is responsible for compliance with the Lawn Care Products Application and Notice Act (415 ILCS 65/3, amended by P.A. 96-424) and shall:

1. Provide an annual schedule of pesticide application to the supervisor of each District building.
2. In coordination with the supervisor of each District building (including each Building Principal), notify employees and students and their parents/guardians in each building. The notification must:
 - a. Be provided at least 4 business days before a pesticide application on school grounds.
 - b. Be written or by telephone. If written, the notice may be included in newsletters, calendars, or other correspondence currently being published.
 - c. Identify the intended date of the application.
 - d. Provide the name and telephone contact number for the Buildings and Grounds Supervisor or other school personnel responsible for the pesticide program.

An exception to this notification is permitted if there is an imminent threat to health or property, in which case the Lawn Care Products Application and Notice Act shall control. If such a situation arises, the Building and Grounds Supervisor must sign a statement describing the circumstances that gave rise to the health threat and ensure that written or telephonic notice is provided as soon as practicable.

Pesticide Application in School Buildings and Structures

The Buildings and Grounds Supervisor is responsible for compliance with the requirements in the Structural Pest Control Act (225 ILCS 235/, reenacted by P.A. 96-473) and shall:

1. Provide an annual schedule of pesticide application to the supervisor of each District building.
2. In coordination with the supervisor of each District building (including each Building Principal):
 - a. Maintain a registry of all employees and parents/guardians of students.
 - b. Notify those employees and parents/guardians before pesticides are applied in or on each building. The notification must:
 - i. Be provided at least 2 business days before a pesticide application in or on school buildings.

- ii. Be written. The notice may be included in newsletters, bulletins, calendars, or other correspondence currently being published.
- iii. Identify the intended date of the application.
- iv. Provide the name and telephone contact number for the Buildings and Grounds Supervisor or other school personnel responsible for the pesticide program.

An exception to this notification is permitted if there is an imminent threat to health or property, in which case the Structural Pest Control Act shall control. If such a situation arises, the Building and Grounds Supervisor must sign a statement describing the circumstances that gave rise to the health threat and ensure that written notice is provided as soon as practicable.

The Buildings and Grounds Supervisor is responsible for the District's integrated pest management program and the District's compliance with the Structural Pest Control Act (225 ILCS 235/, reenacted by P.A. 96-473).

- Applicable if the Superintendent determines that an integrated pest management program is economically feasible:*

The Buildings and Grounds Supervisor or designee shall: (1) develop and implement a program incorporating the Department of Public Health guidelines; (2) notify the Department, on forms provided by the Department, that a program is being implemented; (3) repeat the notification every 5 years after the initial notification; and (4) keep copies of all notifications and all written integrated pest management program plans.

- Applicable if the Superintendent determines that adopting an integrated pest management program is not economically feasible because such adoption would result in an increase in pest control costs:*

The Buildings and Grounds Supervisor or designee shall: (1) notify the Department, on forms provided by the Department, that the development and implementation of an integrated pest management program is not economically feasible; (2) include in the notification the projected pest control costs for the term of the pest control program and projected costs for implementing a program for that same time period; (3) repeat this notification every 5 years after the initial notification until a program is developed and implemented; and (4) attend a training course, approved by the Department, on integrated pest management and repeat attendance every 5 years thereafter until a program is developed and implemented in the District's schools.

The Buildings and Grounds Supervisor or designee shall maintain copies of all notifications that are required by the Structural Pest Control Act and provide the Building Principal(s) or designee(s) sufficient information to allow him/her/them to inform all parents/guardians and school employees at least once each school year that the District has met its notification requirements.

Training and Necessary Equipment

Each Building Principal and noncertificated staff supervisor shall ensure that all staff members under his or her supervision receive training on the safe handling and use of hazardous materials as required by 105 ILCS 5/10-20.17a. Emergency response and evacuation plans must be a part of the training.

Before an employee is given an assignment where contact with blood or bodily fluids or other hazardous material is likely, the employee must be provided the necessary training, including training in the universal precautions and other infection control measures to prevent the transmission of communicable diseases and/or to reduce potential health hazards as required by 23 Ill.Admin.Code §1.330. The appropriate supervisor shall maintain an attendance record of an employee's participation in the training.

Substitute Non-Hazardous Materials

District staff shall comply with State law governing toxic art supplies in schools, 105 ILCS 135/. This includes substituting non-hazardous material for hazardous substances whenever possible and minimize the quantity of hazardous substances stored in school facilities. No art or craft material containing a toxic substance shall be ordered or purchased for use through grade 6; material containing toxic substances may be used in grades 7 through 12 only if properly labeled according to State law.

Infectious Materials

The Buildings and Grounds Supervisor shall prepare and distribute to all employees an Occupational Exposure Control Plan to eliminate or minimize occupational exposure to potentially infectious materials. The Plan shall comply with the Bloodborne Pathogens Standards adopted by State and federal regulatory agencies and an updated copy given to the Superintendent annually. The Plan shall address the following issues:

1. Exposure determination. Positions that do not subject the employee to occupational exposure are exempt from the Plan and the Standards generally.
2. Implementation schedule specifying how and when risks are to be reduced. The Standards are very specific on risks reduction, e.g., Universal Precautions must be followed; engineering and work practice controls are specified (hand washing, restricted food areas); personal protection equipment must be provided; housekeeping requirements are specified (regulated waste disposal and laundry); vaccination requirements (all employees who have occupational exposure must be offered, at employer expense, the hepatitis B vaccine and vaccination series); communication of hazards to employees through labeling and training; and recordkeeping.
3. Process for ensuring that all medical evaluations and procedures, including the hepatitis B vaccine and vaccination series and post-exposure evaluation and follow-up, are available as required by law.
4. Procedures for evaluating an exposure incident.

Emergency Response Plan

The Building Principal shall ensure that proper procedures for the cleanup of potentially hazardous material spills are followed including the following:

1. A building custodian is responsible for the actual cleanup,
2. Personal protective equipment, chemical neutralization kits, and absorbent material are available in each building at all times, and
3. Spill residue is placed in containers designated for such purpose and disposed of in compliance with local, State, and federal law.

Evacuation

The Building Principal shall ensure compliance with the School Safety Drill Act, 105 ILCS 128/. This includes, among other things, ensuring that evacuation rules are posted in each room and discussed with each class using the room during the first days of the school year. The evacuation rules indicate the primary and alternate exits and the evacuation area to which students should proceed upon leaving the building.

The Building Principal shall conduct evacuation drills according to School Board policy 4:170, *Safety*, and administrative procedure 4:170-AP1, *Comprehensive Safety and Crisis Program*.

LEGAL REF: 29 C.F.R. Part 1910.1030, adopted by the Ill. Department of Labor, 56 Ill.Admin.Code §350.300.
105 ILCS 5/10-20.17a, Hazardous Materials Training; 5/10-20.46, Compliance with Chemical Safety Acts; 135/, Toxic Art Supplies in School Act; and 140/, Green Cleaning School Act.
225 ILCS 235/, Structural Pest Control Act.
415 ILCS 65/, Lawn Care Products Application and Notice Act.
820 ILCS 255/, Toxic Substances Disclosure to Employees Act.
23 Ill.Admin.Code §1.330, Hazardous Materials Training.
56 Ill.Admin.Code Part 205, Toxic Substances Disclosure to Employees.

Operational Services

Safety

Safety Program

All District operations, including the education program, shall be conducted in a manner that will promote the safety of everyone on District property or at a District event. The Superintendent or designee shall develop, implement, and maintain a comprehensive safety and security plan that includes, without limitation:

1. An emergency operations plan(s) addressing prevention, preparation, response, and recovery for each school;
2. Provisions for a coordinated effort with local law enforcement and fire officials, emergency medical services personnel, and the Board Attorney;
3. A school safety drill plan;
4. Instruction in safe bus riding practices; and
5. A clear, rapid, factual, and coordinated system of internal and external communication.

In the event of an emergency that threatens the safety of any person or property, students and staff are encouraged to follow the best practice discussed for their building regarding the use of any available cellular telephone.

School Safety Drill Plan

During every academic year, each school building that houses school children shall conduct, at a minimum, each of the following in accordance with the School Safety Drill Act, 105 ILCS 128/:

1. Three school evacuation drills
2. One bus evacuation drill
3. One severe weather and shelter-in-place drill
4. One law enforcement drill

Automated External Defibrillator (AED)

The Superintendent or designee shall implement a written plan for responding to medical emergencies at the District's physical fitness facilities in accordance with the Fitness Facility Medical Emergency Preparedness Act. The plan shall provide for an automated external defibrillator (AED) to be available according to State law requirements. This policy does not create an obligation to use an AED nor is it intended to create any expectation that an AED will be present or a trained person will be present and/or able to use an AED.

Carbon Monoxide Alarms

The Superintendent or designee shall implement a plan with the District's local fire officials to:

1. Determine which school buildings to equip with approved carbon monoxide alarms or carbon monoxide detectors,
2. Locate the required carbon monoxide alarms or carbon monoxide detectors within 20 feet of a carbon monoxide emitting device, and
3. Incorporate carbon monoxide alarm or detector activation procedures into each school building that requires a carbon monoxide alarm or detector. The Superintendent or designee shall ensure each school building annually reviews these procedures.

Soccer Goal Safety

The Superintendent or designee shall implement the Movable Soccer Goal Safety Act in accordance with the guidance published by the Illinois Department of Public Health. Implementation of the Act shall be directed toward improving the safety of moveable soccer goals by requiring that they be properly anchored.

Unsafe School Choice Option

The unsafe school choice option allows students to transfer to another District school or to a public charter school within the District. The unsafe school choice option is available to:

1. All students attending a persistently dangerous school, as defined by State law and identified by the Illinois State Board of Education.
2. Any student who is a victim of a violent criminal offense, as defined by 725 ILCS 120/3, that occurred on school grounds during regular school hours or during a school-sponsored event.

The Superintendent or designee shall develop procedures to implement the unsafe school choice option.

Emergency Closing

The Superintendent is authorized to close the school(s) in the event of hazardous weather or other emergencies that threaten the safety of students, staff members, or school property.

Annual Review

The School Board or its designee will annually review each school building's safety and security plans, protocols, and procedures, as well as each building's compliance with the school safety drill plan.

LEGAL REF.:

105 ILCS 5/10-20. 2, 5/10-20.56, 5/18-12, 5/18-12. 5, and 128/
210 ILCS 74/ Physical Fitness Facility Medical Emergency Preparedness Act.

CROSS REF.:

4:110 (Transportation), 4:175 (Convicted Child Sex Offender; Criminal Background Check and/or Screen; Notifications), 4:180 (Pandemic Preparedness), 5:30 (Hiring Process and Criteria), 8:30 (Visitors to and

Adopted: March 22, 2004; Revised: July 25, 2005, November 23, 2009, February 28, 2011, March 19, 2012, February 25, 2013, May 20, 2013, July 28, 2014, Jan. 20, 2016

Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

ADMIN. PROC.: 4:170-AP2 (Criminal Offender Notification Laws), 4:170-AP3 (School Bus Safety Rules), 4:170-AP6 (Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED), 5:30-AP2 (Investigations)

Operational Services

Administrative Procedure - Comprehensive Safety and Crisis Program

- A. Safety Team
- B. Personal Injury Prevention
- C. Site Based Safety Plan
- D. School Safety Drill Program
- E. Bomb Threat Plan
- F. Fire Emergency Procedures
- G. Natural Disasters (Tornadoes, Thunderstorms, Severe Winds, Earthquakes)
- H. Weapons and Explosives on Campus
- I. Emergency Aid
- J. Managing a Crisis After the Earliest Stages Are Over
- K. Managing Communications About a Crisis
- L. Required Notices

A. Safety Team

The Superintendent appoints:

1. An administrator to be the District's Safety Program Coordinator, and
2. Representatives of all support and professional staff to be on the Superintendent's Safety Team.

The Safety Program Coordinator manages the District's safety and crisis efforts. The Safety Team: (1) advises and assists the Superintendent on safety and crisis issues, (2) monitors the District's safety control measures, (3) reviews and updates safety efforts based on accident or inspection reports, reports of unsafe conditions or practices, and complaints and suggestions, and (4) prepares the staff for a crisis through communication and training.

The Safety Program Coordinator chairs the Safety Team meetings. The meetings are held as determined by the Safety Program Coordinator. The following matters are suggested agenda items:

- Previous action items
- Review of accidents since previous meeting
- Prevention recommendations
- Recommendations from anonymous employees
- Staff member suggestions
- Recommended safety program revisions
- Recommendations from accident investigation reports
- Safety training recommendations
- Committee members input

B. Personal Injury Prevention

The Safety Program Coordinator and Safety Team shall supervise an on-going program for identifying and evaluating unreasonable risks, that includes monitoring whether:

1. Students are appropriately supervised.

2. Facilities and equipment that would pose an unreasonable risk to students (such as laboratory and climbing equipment) are kept locked.
3. Staff members are trained to recognize dangerous conditions.
4. Proper student behavior is maintained.
5. Substitute instructors are competent to teach an activity.
6. Teachers and coaches evaluate each student's capacity to do a specific activity without exposing the student to an unreasonable risk of injury.
7. Activities are appropriately demonstrated. Instructions are appropriate and clear and safety rules are emphasized. Proper teaching progressions are followed. Teachers and coaches reasonably match student competitors.
8. Students are warned of the specific dangers of incorrectly performing an activity and the warning is documented.
9. Appropriate behavior toward strangers is explained.
10. Facilities and equipment are properly maintained, well lit, and periodically inspected. Aisles, walkways, and stairs are kept clear and free of obstacles. Floors are kept dry. Unused or outdated equipment is removed. Repairs, routine maintenance, and inspections are documented.
11. Staff members are encouraged to report equipment or facilities that are inappropriate, in need of repair, or defective. As an example, equipment that fits improperly or fails to properly protect students is inappropriate.
12. Notices from staff members that equipment or facilities are inappropriate, in need of repair, or defective are properly investigated.
13. Warning signs or labels are properly displayed and safety rules are posted.
14. Protective eye devices are provided and worn by all students, teachers, and visitors when participating in or observing any activity that may be hazardous to unprotected eyes (105 ILCS 115/1, 23 Ill.Admin.Code §1.420(s)).

C. Site Based Safety Plan

Under the direction of the Safety Program Coordinator, each Building Principal or designee shall annually gather the following documents for a site based safety plan. If a document cannot be found or needs revision in order to comply with the District's Comprehensive Safety Plan, the Building Principal or designee shall confer with the Safety Program Coordinator to create or revise the document. The Principal or designee shall make the plan available in the building's main office.

Each plan shall include the following:

1. Building evacuation plans. The Principal or designee shall: (1) keep a comprehensive evacuation map - describing main and alternate routes - in the main office, (2) post signs containing main and alternative evacuation routes for each occupied area in a conspicuous place, preferably near the exit, (3) prepare evacuation plans for outdoor areas (playgrounds and stadiums), and (4) keep all staff informed of the evacuation plans.

2. Safety drills. The Principal shall schedule and execute evacuation drills as per the School Safety Drill Act, 105 ILCS 128/, School Board policy 4:170, *Safety*, and this procedure.
3. Building information packet. This packet will include facts on the number and names of staff and students, as well as a building map. The Principal or designee shall give a copy of the map to local law enforcement, the fire department, and emergency medical services.
4. Tornado response plan, including a map showing tornado wall locations (105 ILCS 128/25).
5. A map giving the location of first aid kits, AEDs, and fire extinguishers.
6. The safety equipment's maintenance schedule and persons responsible for performing.
7. An emergency early dismissal plan.
8. A map or plan describing the areas to be used in the event of a crisis for triage, emergency helicopter landing, media center, non-victim students, and parents.
9. A plan for receiving tips, e.g., a hot line for students to call with anonymous tips.
10. A plan for student supervision.
11. A safety patrol plan (105 ILCS 5/10-22.28).
12. Bicycle use rules.
13. Roadway and parking rules.
14. Procedures on student illness and injuries (23 Ill.Admin.Code §530).
15. A plan for giving students instructions on safe school bus riding practices, including the operation and use of the emergency door and windows (as a means of escape), seat belts, and fire extinguisher (105 ILCS 5/10-20.14).
16. Safety-related administrative procedures and forms.

D. School Safety Drill Program

The School Safety Drill Act (105 ILCS 128/) and any implementing State administrative rules contain the requirements for the District's safety drills and shall supersede this procedure in the event of a conflict.

During each academic year, each school building that houses school children must conduct a minimum of:

1. Three school evacuation drills,
2. One bus evacuation drill, and
3. One severe weather and shelter-in-place drill.

When contacted by the appropriate local law enforcement agency with a request to conduct and participate in a law enforcement drill, the Superintendent or appropriate designee must conduct a law enforcement drill during the academic year. The law enforcement drill must be conducted according to the District's comprehensive safety and crisis plan and it may be conducted on days and times that students are not present in the building but must occur.

The Building Principal shall keep the Superintendent or designee informed as to the status of the drills. Each of these drills is described below:

School evacuation drills - These drills prepare students and personnel for situations that occur when conditions outside of a school building are safer than inside a school building. Evacuation may be necessary, depending on the circumstances, in the event of fire, presence of suspicious items, incidents involving hazardous materials, and bomb threats.

The appropriate local fire department or district participates in one school evacuation drill, unless waived as provided below. A date is selected according to the following timeline:

- No later than September 1 of each year, each local fire department or fire district must contact the Building Principal in order to make arrangements.
- No later than September 14 of each year, the Building Principal or designee and the local fire department or fire district may agree to waive the provisions concerning participation by the local fire department or district in a school evacuation drill.
- No later than September 15 of each year, each Building Principal or designee must contact the responding local fire official and propose to the local fire official 4 dates within the month of October, during at least 2 different weeks of October, on which to hold the drill. The fire official may choose any of the 4 available dates, and if he or she does so, the drill occurs on that date.
- Alternatively, the Building Principal or designee and the local fire official may, by mutual agreement, set any other date for the drill, including a date outside of the month of October.
- If the fire official does not select one of the 4 offered dates in October or set another date by mutual agreement, the school does not need to include the local fire service in one of its mandatory school evacuation drills.

After a drill in which the local fire service participated, the Building Principal should request certification from the local fire service that the school evacuation drill was conducted. Additional school evacuation drills for fire incidents may involve the participation of the appropriate local fire department or district. In addition, schools may conduct additional school evacuation drills to account for other evacuation incidents, including without limitation suspicious items or bomb threats.

Bus evacuation drill - This drill prepares students and school personnel for situations that occur when conditions outside of the bus are safer than inside the bus. Evacuation may be necessary, depending on the circumstances, in the event of a fire, presence of suspicious items, and incidents involving hazardous materials.

This drill shall be accounted for in the curriculum in all public schools and in all other educational institutions in this State that are supported or maintained, in whole or in part, by public funds and that provide instruction in any of the grades kindergarten through 12. This curriculum shall also include instruction in safe bus riding practices for all students. Schools may conduct additional bus evacuation drills.

Severe weather and shelter-in-place drill - This drill prepares students for situations involving severe weather emergencies or the release of external gas or chemicals. Severe weather and shelter-in-place drills must address and prepare students and school personnel for possible tornado incidents. Other drills shall be based on the needs and environment of particular communities, including severe weather (such as, tornadoes, shear winds, lightning, and earthquakes), incidents involving hazardous materials, and incidents involving weapons of mass destruction.

When contacted by the appropriate local law enforcement agency with a request to conduct and participate in a law enforcement drill, the Superintendent or appropriate designee must conduct a law enforcement drill during the academic year.

Law enforcement drill - This drill prepares students and school personnel for situations calling for the involvement of law enforcement when conditions inside a school building are safer than outside of a school building and it is necessary to protect building occupants from potential dangers in a school building. Law enforcement drills may involve situations that call for the reverse-evacuation or the lock-down of a school building. Incidents requiring a lock-down may include shooting incidents, bomb threats, suspicious persons, and incidents involving hazardous materials. All such drills must be conducted according to this administrative procedure, 4:170-AP1, *Comprehensive Safety and Crisis Program*, with the participation of the appropriate law enforcement agency. A law enforcement drill may be conducted on days and times when students are not present in the school building.

After a drill in which the local law enforcement participated, the Building Principal should request a certification from the local law enforcement that the law enforcement drill was conducted.

Annual Review. The School Board or its designee will annually review each school building's emergency and crisis response plans, protocols, and procedures, as well as each building's compliance with the school safety drill program.

E. Bomb Threat Plan

Any bomb threat is treated as a danger to all persons in a school building. Staff members shall follow these procedures when a bomb threat is made:

1. The secretary or any person taking the telephone call will attempt to gain as much information as possible from the caller, i.e., the bomb's location, type, when it will explode, and the caller's name, sex, age, and voice tone.
2. The main office will immediately call 911.
3. The main office will immediately advise the Building Principal or designee of the situation. The Building Principal or designee shall announce a "**Code Yellow**" over the public address system to notify the staff a bomb threat was received. All two-way radios should be immediately shut off.
4. The Building Principal will sound the fire alarm and evacuate the building(s).

5. Staff members should note any “**strange**” boxes or packages. **Do not touch anything suspicious.** Report any such item to law enforcement after you have left the building.
6. The Building Principal or designee shall notify the Superintendent’s office; the Superintendent’s office shall notify the Safety Program Coordinator.
7. The Building Principal shall check to ensure everyone has left the building(s).
8. Staff members shall account for everyone by making a roll call check. Names of missing students or staff members will be relayed to the Building Principal.
9. Staff members shall escort the students to a predetermined waiting area that is a safe distance from the school and wait for further instructions.
10. The Building Principal shall assist the police, fire, and public safety officials as needed.
11. After a bomb search is completed, the Building Principal, Safety Program Coordinator, Superintendent, and local law enforcement will determine if the building should be re-entered.
12. If the school cannot be re-entered, the students will be moved to the closest available facility that can safely house them.
13. When a bomb threat is made before lunch, the Building Principal or designee shall coordinate with the food service department to arrange for an alternative lunch plan.
14. If the decision is made to move students to an alternate school, the Building Principal or designee shall so notify the transportation department. Buses will be used if the school is beyond walking distance or if there is inclement weather.
15. The transportation department will make arrangements to have the evacuated students picked up at the regular release time, at the alternate site, by the normal route school buses.
16. When a bomb threat is made during inclement weather, the Building Principal or designee shall notify the transportation department to supply buses for temporary shelters. This should not delay the school’s evacuation.
17. No one shall re-enter the building unless the “**All Clear**” is sounded by the Building Principal. No electronic devices shall be used to recall students into the building.

F. Fire Emergency Procedures

The following emergency actions shall be taken by the appropriate staff member:

1. Pull the fire alarm immediately if you have any reason to suspect a fire may be in the building. If possible, notify the main office, giving as many details as possible.
2. The main office will immediately call 911.
3. The main office will immediately advise the Building Principal or designee of the situation.
4. The Building Principal will sound the fire alarm and evacuate the building(s).
5. The Building Principal or designee shall notify the Superintendent’s office; the Superintendent’s office shall notify the Safety Program Coordinator.

6. Fire extinguishers should be used only after notifying the Fire Department and only if feasible. Fire extinguishers are intended for small fires only. In addition, the user should make sure the fire extinguisher is of the proper type for the fire before using it.
7. When the fire alarm is heard:
 - a. Teachers and supervisors shall be sure that all windows and doors are closed and lights are turned off in their rooms. They should pick-up their class register and grade book and then lead students out of the building according to the evacuation route.
 - b. Teachers and supervisors shall immediately check the class register to be sure all students are present. If a student is absent who was present before the evacuation, notify the Principal or fire official immediately.

G. Natural Disasters (Tornadoes, Thunderstorms, Severe Winds, Earthquakes)

A natural disaster includes severe weather situations, tornadoes, hazardous material accidents, floods, and earthquakes. The following emergency procedures should be taken:

1. The Building Principal or main office staff will alert staff - the signal is "**Tornado Tone.**"
2. Teachers shall step into the halls to immediately clear them by directing students to the classroom.
3. While in the room, all teachers and students are to maintain sheltered positions.
4. Call 911 if emergency responders are needed.
5. Render first aid, if necessary.
6. The Building Principal or designee will direct designated "couriers" to each classroom notifying the teacher/staff of the situation.
7. Unless the situation requires evacuation, all doors will remain locked and personnel and students will remain stationary until the "**All Clear**" is sounded by the Building Principal.

H. Weapons and Explosives on Campus

Any report of a person armed with a weapon or explosive on campus is a "**Code Red,**" i.e., all doors are locked in offices, classrooms, and halls. The following emergency actions shall be taken by the appropriate staff member:

1. Notify the main office immediately if you have any reason to believe that a weapon or explosive is on school grounds. Give the main office as many details as possible (where, who is involved, type of weapon, and if anyone is injured or is currently being threatened or being held hostage).
2. The main office will immediately call 911.
3. The main office will immediately advise the Building Principal or designee of the situation. The Building Principal or designee shall announce a "**Code Red**" over the public address system to notify staff members to lock all doors.

4. If possible, move students safely away from the armed person. Remain calm while sending people to safety. Do not panic students by telling them that the person is armed.
 5. When a “**Code Red**” is called:
 - a. Lock your classroom door, and, if it is your responsibility to do so, lock the hallway doors. Keep your students away from doors. If you hear a weapon fired, tell your students to immediately duck and cover. Remain this way until the Principal sounds the “**All Clear**” or until you are evacuated from your room by law enforcement.
 - b. If you are not in a classroom, move your students to the closest securable room and lock it down.
 - c. If you cannot get to a classroom before shots are fired, have all students duck and cover behind any available barrier or drop and cover if there is nothing to hide behind. Direct them to move to a protected area as soon as possible.
 6. The Building Principal or designee shall notify the Superintendent’s office; the Superintendent’s office shall notify the Safety Program Coordinator.
 7. School nurses and/or other staff give first aid for victims until emergency medical services takes over. If possible, identify injured students by using name tags or markers on their wrists or ankles.
 8. **Note:** If any site becomes involved in a hostage situation, the primary concern is the safety of students and staff. Individuals who take hostages are frequently emotionally disturbed or in a state of panic and the key to dealing with them is to make every attempt to avoid upsetting them any further. Communication must be handled in a non-threatening, non-joking manner. Always remember that it may take very little to cause such persons to become violent.
 9. **Note:** Drive-by-shootings usually happen very quickly. The perpetrators of drive-by-shootings usually leave the scene instantly. Staff members who witness such incidents should, without putting themselves into danger, attempt to get as precise a description of the vehicle as possible.
- I. Emergency Aid**
- The Safety Program Coordinator shall supervise an on-going program for the provision of first-aid and emergency care (see 23 Ill.Admin.Code §1.530), that includes at a minimum the following components:
1. First-aid and CPR courses are offered to staff members.
 2. Staff members are told how to summon emergency medical care.
 3. Adequate first-aid and emergency care equipment are readily accessible, conspicuously marked, and periodically inspected.
 4. The District’s administrative procedure 4:170-AP6, *Plan for Responding to a Medical Emergency at a Physical Fitness Facility*, is fully implemented.

5. Each participant in an extracurricular sport must present a completed Certificate of Physical Fitness for Athletics. Parents/guardians are required to report any serious health problem their child might have experienced.
6. Written accident reports are completed by the person having supervision over the student at the time of the accident and shall be immediately sent to the Building Principal who will forward a copy to the Superintendent.
7. An injured student will take priority over everything else. The person having supervision over an injured student shall immediately notify the parents/guardians.

Emergency Phone Numbers:

Safety Coordinator	<u>(847) 731-3085</u>
Poison Control	<u>(800) 222-1222</u>
Hospital	<u>(847) 360-3000</u>
Fire, Police, Ambulance	<u>911</u>

J. Managing a Crisis After the Earliest Stages Are Over

1. The Safety Program Coordinator and Safety Team shall:
 - a. Advise the Superintendent whether or not to maintain normal schedules or dismiss early. This decision will depend on the extent of the crisis and may vary from class to class, or school to school. Formulate plans if school is to be dismissed early.
 - b. Communicate with school counselors.
 - c. Help the designated spokesperson (see "Managing Communications About a Crisis," below) prepare announcements to: (1) students and teachers, (2) telephone inquiries, (3) parents/guardians, and (4) the media.
 - d. Help the designated spokesperson (see "Managing Communications About a Crisis," below) prepare a memo to all teachers giving the facts about the crisis and instructions on how to share the information with students, as well as suggestions for assisting students. This memo may also invite the staff to a meeting after school. Also, facilitate a way for the teachers to share their insights, concerns and other pertinent information.
 - e. Help the designated spokesperson (see "Managing Communications About a Crisis," below) prepare a letter to parents/guardians. Include specific factual information about the event; information about how the District is handling the crisis, phone numbers for contact people; information about community resources, including phone numbers and titles of resource books. Some parents/guardians will need to be contacted by phone, particularly if their child's reaction is severe.
 - f. Supervise pre-designated rooms for media, family, etc.
 - g. Arrange for responsible adults to ride buses in the vacant victims' seats for the rest of the week.

2. The school counselor, school psychologist, and/or social worker shall:
 - a. Stay in close contact with the Safety Team and follow its requests.
 - b. Identify high-risk students, staff, and parents likely to be most affected by the news (e.g., due to relationship with victim, personal history with similar crisis, recent confrontations with affected students, staff member spouses). Target these individuals for extra support.
 - c. Gather and inform closest friends of the victims. Provide support and information to them before the general announcement is made. If certain close friends are absent, assure that a supportive adult gives the news to them. Try to make sure that students who are closest to the victims are picked up by parents at school.
 - d. Provide individual and group counseling as needed.
 - e. Contact parents of affected students with suggestions for support and further referrals. Keep records of affected students and provide follow-up services.
 - f. Establish a self-referral procedure. Make referral forms available.
 - g. Review and distribute open-ended questions to assist teachers with classroom discussion.
3. The Building Principal or designee shall:
 - a. Support response efforts, be available for consultation, and defer to the Safety Program Coordinator and/or Superintendent. Overall, the Building Principal should be visible, available, and supportive.
 - b. Notify feeder schools so they can prepare siblings and other students regarding the crisis.
 - c. Provide direction for teachers.
 - d. Contact family of the deceased and inform staff and students about funeral arrangements.
4. Teachers shall:
 - a. Provide available information to students and lead classroom discussions, when warranted, that focus on coping. Answer questions without providing unnecessary details. Recognize and honor the various religious beliefs that may help students to cope. Be understanding and receptive to students' expressions of various emotions.
 - b. Be careful of TV broadcasts in the classroom. Live newscasts can be traumatizing, especially if the students are still at school.
 - c. Identify students who need counseling and refer them to counseling personnel.
 - d. Provide activities to reduce trauma, such as artwork, music, and writing.
 - e. Alter the curriculum as needed.
 - f. Discuss funeral procedures when appropriate.
 - g. Know how to get assistance from other professionals should the need arise.
5. The school nurse shall, after all injured students are stabilized and being provided emergency medical services care:

- a. Monitor reactions of traumatized children.
- b. Inform teachers and children about physical manifestations of grief.
6. Provision for on-going opportunities to deal with the crisis include:
 - a. Have additional support staff and outside professionals available.
 - b. Make resources available to teachers who will be dealing with students' reactions.
 - c. Provide a list of suggested readings to teachers, parents, and students.
 - d. Amend crisis response procedures as necessary.
 - e. Write thank-you notes to anyone who provided (or is still providing) support.
 - f. Be alert on crisis anniversaries and holidays. Often students will experience an "anniversary" grief reaction the following month or year on the date of the crisis, or when similar crises occur that remind them of the original crisis. Holidays are often difficult for students who have experienced loss.
 - g. Support and explain the hospital's visitation policy.
 - h. After one week, consider raising the flag back to full mast. Remove the flowers, cards, displays, etc. and get the building back to normal.

K. Managing Communications About a Crisis

The Safety Program Coordinator, with assistance from the Safety Team, is responsible for compiling information and preparing communications concerning a crisis. Staff members having information should provide it to the Safety Program Coordinator or a Safety Team member. **The Safety Program Coordinator or designee serves as the designated spokesperson.** All District communication should come from this source to ensure accuracy and credibility.

All staff members are requested to refrain from spreading information about a crisis unless the information is from the Safety Program Coordinator or designated spokesperson.

Office staff members are not to repeat or give any information within or outside the school unless specifically instructed to do so. They are to direct inquiries to the designated spokesperson.

The designated spokesperson shall make every effort to give the maximum amount of verified information to staff members, students' family members, and the media as quickly as possible. If the media makes reporting errors, the spokesperson should name the specific reporting agency in correcting the facts.

Everyone in the school community can positively affect a crisis situation by:

1. Staying calm and helping to bring the situation under control.
2. Avoid speculating as to the incident's cause.
3. Avoid allocating blame.
4. Helping school and law enforcement officials gather the facts - who, what, where, when, why, how, and what's next.
5. Being truthful.

6. Deferring all media requests to the designated spokesperson.
7. Comforting and supporting each other.

L. Required Notices

A school staff member shall immediately notify the office of the Building Principal if 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.

Operational Services (New)

Exhibit - Memo to Staff Members Regarding Contacts by Media About a Crisis

If the media attempts to contact you about a death or other crisis, please follow these guidelines:

1. It is perfectly correct to tell a reporter that you would rather not comment on the incident especially if it has been an emotional strain. Rather than shouting “No comment” (which makes it sound like you are trying to hide something), say something like, “this incident has affected the school community greatly, and I would prefer to not comment on it.” One should then refer the reporter to the Superintendent.
2. According to School Board policy and the Family Educational Rights and Privacy Act (FERPA), the only information about a student that the school is allowed to release is a verification of his or her attendance at the school. If the parents give permission, certain *directory* information (address, participation in sports or activities, awards received, etc.) may also be released. In the event of parental approval, that information will be given to the media by the Superintendent or the designated spokesperson.
3. Comments such as the following should be avoided: “He/She was a B student,” “He/She was having trouble in class, and I had referred her to the social worker last week,” and “He/She was constantly in trouble for dealing drugs and smoking on school grounds.” Best practices are to avoid such specific comments about individual students. If a reporter persists with these questions, say something like, “Board policy prohibits me from specifically commenting on any student. Furthermore, I do not wish to infringe upon the family’s right to privacy.”
4. Do not feel compelled to correct a reporter if a reporter tells you incorrect information. For example, to try and obtain more information, a reporter might say, “I was informed the student was failing...” Refer the reporter to the Superintendent.
5. For persistent reporters, it may be helpful to acknowledge that you understand that he or she has a job to do, but you have a job to do as well and you do not have authority to comment.
6. If you choose, you may make your own personal comments about how the crisis has affected you. If the incident involved an athlete, the coach might say, “_____’s death is very tragic, and the team and I will miss him/her.”
7. You may also address actions the school is taking to deal with the crisis. For example, “Although this is a terrible situation, we are fortunate to have a crisis plan to counsel students and faculty who are understandably upset.”
8. Do not agree to set up interviews with students. All requests for interviews should be directed to the Superintendent.
9. Do not speculate or comment on the cause of death or other crisis, especially in an apparent suicide or murder. Tell reporters that information on the death should be obtained from the police department.
10. Remember, you do not have to answer any questions at all and may choose to simply refer all reporters to the Superintendent.

Operational Services

Administrative Procedure - Criminal Offender Notification Laws

The following list describes laws protecting students on school grounds from individuals convicted of serious crimes:

1. A child sex offender is prohibited from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present unless specifically permitted by statute (720 ILCS 5/11-9.3). See School Board policies 4:170, *Safety*, 8:30, *Visitors to and Conduct on School Property*, and administrative procedure 8:30-AP, *Definition of Child Sex Offender*.
2. Law enforcement must notify schools of offenders who reside or are employed in the county. See: (a) Sex Offender Community Notification Law, 730 ILCS 152/101 *et seq.*, as amended by P.A. 94-945, and (b) Child Murderer and Violent Offender Against Youth Community Notification Law, 730 ILCS 154/75-105, as added by P.A. 94-945. These laws are hereafter referred to as "offender notification laws." See also School Board policy 4:170, *Safety*.
3. The School Code (105 ILCS 5/10-21.9) lists criminal offenses that disqualify an individual from District employment if the individual was convicted of one. It requires any person hired by the District to submit to a fingerprint-based criminal history records check. The law also requires a school district to check 2 offender databases for each applicant, (a) the Statewide Sex Offender Database (a/k/a Sex Offender Registry), www.isp.state.il.us/sor, and (b) the Statewide Child Murderer and Violent Offender Against Youth Database, when available. See School Board policy 5:30, *Hiring Process and Criteria*; and administrative procedure 5:30-AP2, *Investigations*.
4. The provisions in The School Code described above also apply to employees of persons or firms holding contracts with a school district who have direct, daily contact with students. See School Board policy 4:170, *Safety*.
5. Conviction of an offense listed in 105 ILCS 5/10-21.9 results in the automatic revocation of a teacher's teaching certificate (105 ILCS 5/21-23a).
6. The offender notification laws require law enforcement to ascertain whether a juvenile sex offender or violent offender against youth is enrolled in a school and, if so, to provide a copy of the registration form to the Building Principal and any guidance counselor designated by him or her. This registration form must be kept separately from any and all school records maintained on behalf of the juvenile sex offender. See School Board policy 4:170, *Safety*.

Receipt of the Information from Law Enforcement

The Superintendent or designee shall notify the local law enforcement official or county sheriff that he or she is the District's official contact person for purposes of the offender notification laws. The Superintendent and/or Building Principal may at any time request information from law enforcement officials regarding sex offenders or violent offenders against youth.

The Superintendent will provide Building Principals and other supervisors with a copy of all lists received from law enforcement officials containing the names and addresses of sex offenders and violent offenders against youth.

The Building Principal or designee shall provide the lists to staff members in his or her building on a need-to-know basis, but in any event:

- A teacher will be told if one of his or her students, or a student's parent/guardian, is on a list.
- The school counselor, nurse, social worker, or other school service personnel will be told if a student or the parent/guardian of a student for whom he or she provides services is on a list.

No person receiving a list shall provide it to any other person, except as provided in these procedures, State law, or as authorized by the Superintendent. Requests for information should be referred to the local law enforcement officials or State Police.

Screening Individuals Who Are Likely to Have Contact with Students at School or School Events

Upon receiving a list of sex offenders or violent offenders against youth from law enforcement, the Superintendent or Building Principal, or designees, shall determine if anyone is listed who is currently a District employee, student teacher, or school volunteer.

In addition, the Superintendent and/or Building Principal(s) shall screen individuals who are likely to come in contact with students at school or school events as follows:

Volunteers

Each staff member shall submit to the Building Principal the name and address of each volunteer the staff member is supervising or whose services are being used as soon as that person is identified. The Building Principal or designee shall immediately screen the volunteer's name and address against the: (1) National Sex Offender Public Registry, www.nsopr.gov, (2) Illinois Sex Offender Registry, www.isp.state.il.us/sor, and (3) the violent offenders against youth database maintained by the State Police (when available). If a match is found, the Building Principal shall notify the Superintendent, who shall contact the local law enforcement officials to confirm or disprove the match.

If a match is confirmed, the Superintendent shall inform the individual, by mail and telephone call, that he or she may not be used as a volunteer. The Superintendent also shall inform relevant staff members and the Building Principal that the individual may not be used as a volunteer.

Student Teachers and Other Students Doing Clinical Experience

The Building Principal shall screen the name and address of each student teacher and each student seeking to do clinical experience in the school as described above for volunteers. If a match is found, the Building Principal and Superintendent shall proceed as above for volunteers.

Contractors' Employees

The Superintendent shall include the following in all District contracts that may involve an employee of the contractor having any contact, direct or indirect, with a student:

The contractor shall not send to any school building or school property any employee or agent who would be prohibited from being employed by the District due to a conviction of a crime listed in 105 ILCS 5/10-21.9, or who is listed in the Statewide Sex Offender Registry or the Statewide Violent Offender Against Youth Database. The contractor shall obtain a fingerprint-based criminal history records check before sending any employee or agent to any school building or school property. Additionally, at least quarterly, the contractor shall check if an employee or agent is listed on the Statewide Sex Offender Registry or the Statewide Violent Offender Against Youth Database.

If a staff member at any time becomes aware or suspicious that a contractor's employee is a sex offender or violent offender against youth, the employee shall immediately notify the Superintendent. The Superintendent shall screen the name of the individual as described above for volunteers and/or contact the contractor.

Individuals in the Proximity of a District's School

Each time a list of sex offenders and/or violent offenders against youth is received from a law enforcement official, the Building Principal shall review it to determine if anyone listed lives in the proximity of his or her school. The Building Principal shall attempt to alter school bus stops and the route students travel to and from school in order to avoid contact with an individual on such a list.

Employees

All applicants considered for District employment shall submit to a fingerprint-based criminal history records check, according to State law and School Board policy 5:30, *Hiring Process and Criteria*, and administrative procedure 5:30-AP2, *Investigations*.

Each time a list of sex offenders or violent offenders against youth is received from a law enforcement official, the Superintendent shall review the list to determine if an employee is on the list. If a match is found, the Superintendent shall immediately contact the local police officials to confirm or disprove the match. The Superintendent shall immediately notify the Board if a match is confirmed. The Board will take the appropriate action to comply with State law that may include terminating the individual's employment.

Informing Staff Members and Parents/Guardians About the Law

Building Principals or their designees shall inform parents/guardians about the availability of information concerning sex offenders during school registration and, if feasible, during parent-teacher conferences. See the Sex Offender Community Notification Law, 730 ILCS 152/101 et seq., as amended by P.A. 94-994, eff. 1/1/07. Information should be distributed about the Statewide Sex Offender Database (a/k/a Sex Offender Registry), www.isp.state.il.us/sor, and the Statewide Child Murderer and Violent Offender Against Youth Database, when available. Information may also be included in the Student Handbook.

Requests for additional information shall be referred to local law enforcement officials.

CROSS REF.: 5:30 (Hiring Process and Criteria), 6:250 (Community Resource Persons and Volunteers), 8:30 (Visitors to and Conduct on School Property)

ADMIN. PROC.: 6:250-AP (Securing and Screening Resource Persons and Volunteers), 6:250-E (Volunteer Information Form and Waiver of Liability), 8:30-AP (Definition of Child Sex Offender), 8:30-E1 (Letter to Parent Regarding Visits to School by Child Sex Offenders), 8:30-E2 (Child Sex Offender's Request for Permission to Visit School Property)

Operational Services

Administrative Procedure - School Bus Safety Rules



The Building Principal shall distribute the following rules to all students. Those students not qualifying for school bus transportation to and from school should receive a copy because they may from time-to-time be transported to school activities by school bus.

1. Dress properly for the weather. Make sure all drawstrings, ties, straps, etc. on all clothing, backpacks and other items, are shortened or removed to lessen the likelihood of them getting caught in bus doors, railings or aisles.
2. Arrive on time at the bus stop and stay away from the street while waiting for the bus.
3. Stay away from the bus until it stops completely and the driver signals you to board. Enter in single file without pushing. Always use the handrail.
4. Take a seat right away and remain seated facing forward. Keep your hands, arms, and head inside the bus.
5. Help keep the bus neat and clean. Keep belongings out of the aisle and away from emergency exits. Eating and drinking are not allowed on the bus.
6. Always listen to the driver's instructions. Be courteous to the driver and other students. Sit with your hands to yourself and avoid making noises that would distract the driver or bother other passengers. Remain seated, keeping your hands, arms, and head inside the bus at all times.
7. Wait until the bus pulls to a complete stop before standing up. Use the handrail when exiting the bus.
8. Stay out of the danger zone next to the bus where the driver may have difficulty seeing you. Take five giant steps away from the bus and out of the danger zone, until you can see the driver and the driver sees you. Never crawl under a bus.

9. If you must cross the street after you get off the bus, wait for the driver's signal and then cross in front of the bus. Cross the street only after checking both ways for traffic.
10. Never run back to the bus, even if you dropped or forgot something.

Operational Services

Administrative Procedure - National Terrorism Advisory System

The National Terrorism Advisory System (NTAS) is designed to convey timely information to the American public about terrorist threats. NTAS issues two types of advisories: *Bulletins* and *Alerts*, which are described below:

Bulletins - Communicate developments or trends about terrorism threats without necessarily indicating a specific threat. This means a Bulletin provides broad terrorism threat information that allows recipients to quickly take protective measures.

Alerts - Are only issued when specific, credible information about a terrorist threat is available. An Alert may include information pertaining to the threat's nature, the geographic region, mode of transportation, or critical infrastructure potentially affected by the threat, as well as steps that individuals and communities can take to protect themselves and help prevent, mitigate, or respond to the threat. Alerts carry an expiration date and will be automatically canceled on that date. Updates to an Alert, as well the cancelation of an Alert, will be distributed in the same way as the original Alert.

Alerts will state whether a threat is *elevated* or *imminent* as follows:

A threat is *elevated* if there is no specific information about the timing or location.

A threat is *imminent* if the threat is believed to be impending or occurring very soon.

NTAS advisories are issued by the U.S. Dept. of Homeland Security at: www.dhs.gov/alerts.

District Response Measures

The Superintendent or designee is responsible for tracking Bulletins and Alerts and disseminating those that merit administrative review.

After receiving an NTAS advisory, each the Superintendent, Building Principal or other appropriate administrator (*administrator*) will review it and determine what response measures, if any, should be taken. To determine the appropriate response, the administrator should assess the threat to the District activities for which he or she is responsible and consider reviewing the threat with other administrators and/or public safety officials. A range of potential response measures are listed below in the column entitled **Potential Response Measures in Addition to Any Suggested by the NTAS Advisory**.

The Superintendent and Building Principal(s) should strongly consider closing school(s) and canceling activities whenever there is an *imminent* threat to the District or one of its buildings.

Response Category	Potential Response Measures in Addition to Any Suggested by the NTAS Advisory
Emergency Planning and Preparedness	<p>Update the school emergency operations plan, specifically the emergency and disaster response procedures.</p> <p>Address critical emergency needs under the direction of public safety officials.</p>

Response Category	Potential Response Measures in Addition to Any Suggested by the NTAS Advisory
	<p>Coordinate emergency plans with county, State, and federal agencies.</p> <p>Inventory emergency supplies and equipment.</p> <p>Maintain current emergency communication lists for employees and students.</p> <p>Test alternative communication capabilities.</p> <p>Designate an alternative communications center located off school property.</p> <p>Review parent/guardian notification procedures.</p> <p>Review procedures to reunite students with their parents/guardians should schools close mid-day.</p>
Communication/Activities with Employees	<p>Instruct employees to report suspicious activities or persons to the administrative office.</p> <p>Conduct emergency and disaster response training for all employees.</p> <p>Disseminate emergency communications methods and resources, e.g., where to get information, to employees.</p> <p>Review school emergency operations plans with all employees.</p> <p>Update employee emergency contact numbers.</p>
Communication/Activities with Students	<p>Instruct students to report suspicious activities or persons to any employee.</p> <p>Conduct school safety drills with students.</p>
Classes and School Activities	<p>Close school(s) early.</p> <p>Cancel classes.</p> <p>Cancel outside activities and field trips.</p> <p>Cancel all activities.</p> <p>Cancel regular and/or extracurricular bus service.</p>
Building and Grounds Security	<p>Reassess facility security measures, e.g., lock exterior doors.</p> <p>Increase building security throughout the school system.</p> <p>Implement visitor control procedures.</p> <p>Limit visitor access to school.</p> <p>Prohibit visitor access to school.</p>

Response Category	Potential Response Measures in Addition to Any Suggested by the NTAS Advisory
	Prohibit parking near buildings. Request police department to increase patrols around school. Take additional precautions during events and activities, e.g., hiring additional security staff, restricting public access, or canceling the event/activity. In case of a building lockdown, ensure each school building has a reasonable supply of food, drinking water, medical supplies, back-up communication equipment, generator, batteries, etc.
Parent/Guardian Communication	Disseminate emergency communications methods and resources, e.g., where to get information, to parents/guardians and the community. Update student emergency contact numbers. Test parent/guardian notification procedures. Increase communication with parents/guardians and community via website and email distribution. Inform parents/guardians of procedures to reunite students with parents/guardians should schools close mid-day.

Resources

Access NTAS Bulletins or Alerts at: www.dhs.gov/alerts

Sign up to receive NTAS Bulletins and Alerts via email at:

public.govdelivery.com/accounts/USDHS/subscriber/new?topic_id=USDHS_164

To add NTAS Bulletins and Alerts to a website see:

www.dhs.gov/files/programs/ntas-developer-resources.shtm

For further information on NTAS see:

www.dhs.gov/files/programs/ntas.shtm

www.dhs.gov/files/publications/ntas-questions-answers.shtm

For a sample NTAS Bulletin see:

www.dhs.gov/sites/default/files/publications/15_1214_ntas_sample_bulletin.pdf

For a sample NTAS Alert see:

www.dhs.gov/sites/default/files/publications/15_1214_ntas_sample_elevated_alert.pdf

Operational Services

Administrative Procedure - Unsafe School Choice Option

Beginning in 2002, NCLB required states to implement an unsafe school choice option (20 U.S.C. §7912). Illinois complied by adopting two statutes: (1) 105 ILCS 5/2-3.134 requires ISBE to maintain data and publish a list of *persistently dangerous schools*, and (2) 105 ILCS 5/10-21.3a requires each school board to adopt a policy governing the transfer of students within the district from a *persistently dangerous school* to another public school in the district. Board policy 4:170, *Safety*, fulfills this requirement with its section on *Unsafe School Choice Option*. This administrative procedure implements the policy. It incorporates the guidance given by the U.S. Department of Education, *Unsafe School Choice Option*, Non-Regulatory Guidance, 7-23-02, www.ed.gov/policy/elsec/guid/unsafeschoolchoice.doc.

Unsafe School Choice Option for Students in Persistently Dangerous Schools

Actor	Action
ISBE	Identifies each Illinois school that is a <i>persistently dangerous school</i> as defined in 105 ILCS 5/10-21.3a (attached). As of June 2009, ISBE has not identified a <i>persistently dangerous school</i> .
Building Principal or designee	Within 10 calendar days of identification, or longer time if necessary, notifies by U.S. mail, the parents/guardians of students attending a <i>persistently dangerous school</i> , of that school's status as <i>persistently dangerous</i> .
Superintendent	Keeps the Board informed as appropriate. Determines which, if any, schools will receive students assigned to a <i>persistently dangerous school</i> . To the extent possible, the recipient school should be making adequate yearly progress and not identified as being in school improvement, corrective action, or restructuring. The recipient school may be a public charter school. If a recipient school is not available in the District, the Superintendent will explore other appropriate options, e.g., intergovernmental agreements with another district to accept transfer students. The needs and preferences of affected students and parents/guardians will be considered. Develops and implements a corrective action plan.
Building Principal or	Within 20 calendar days of identification, or longer time if

Actor	Action
designee	necessary, informs parents/guardians of the following: 1. The status of the corrective action plan; and 2. The identities of any available school or public charter school into which students may transfer.
Parents/guardians	As soon as possible after being informed of the unsafe school choice option, confers with the Building Principal concerning whether to exercise the transfer option.
Building Principal or designee	Executes any requested transfers as soon as possible. Transfers will be in effect at least while the original school is identified as <i>persistently dangerous</i> . When determining the transfer length, the Principal considers the student's educational needs as well as other factors affecting the student's ability to succeed if returned to the transferring school.
Superintendent or designee	Upon corrective action plan's completion, requests that ISBE remove the school from the list of <i>persistently dangerous schools</i> .

Unsafe School Choice Option for Any Student Who Is a Victim of a Violent Criminal Offense Occurring on School Grounds During Regular School Hours or During a School-Sponsored Event

Actor	Action
Building Principal or designee	Notifies the Superintendent that a student was a victim of a violent crime, as defined by 725 ILCS 120/3 (attached), occurring on school grounds during regular school hours or during a school-sponsored event.
Superintendent	As soon as possible, determines which, if any, schools are available recipients for a student who was a victim of a violent crime while in school or on school grounds. To the extent possible, the recipient school should be making adequate yearly progress and has not been identified as being in school improvement, corrective action, or restructuring. The recipient school may be a public charter school. If a recipient school is not available in the District, the Superintendent will explore other appropriate options, e.g., an agreement with a neighboring district to accept the student. The needs and preferences of the affected student and his or her parents/guardians shall be considered. Keeps the Board informed as appropriate.
Building Principal or	As soon as possible, notifies the student's parents/guardians that

Actor	Action
designee	the student may transfer to another school, provided another school is available.
Parents/guardians	As soon as possible after being informed of the unsafe school choice option, confers with the Building Principal concerning whether to exercise the transfer option.
Building Principal or designee	Executes any requested transfer as soon as possible. When determining the transfer length, considers the student's educational needs as well as other factors affecting the student's ability to succeed if returned to the transferring school.

Definitions for “Persistently Dangerous School”

105 ILCS 5/10-21.3a

§10-21.3a(b). In order to be considered a persistently dangerous school, the school must meet all of the following criteria for 2 consecutive years:

1. Have greater than 3% of the students enrolled in the school expelled for violence-related conduct;
2. Have one or more students expelled for bringing a firearm to school as defined in 18 U.S.C. 921;
3. Have at least 3% of students enrolled in the school exercise the individual option to transfer schools pursuant to subsection (c) of this section. [105 ILCS 5/10-21.3a(c), see the second section of this procedure]

Definitions for “Crime Victim” and “Violent Crime”

725 ILCS 120/3 (current as of September 1, 2003)

§ 3. The terms used in this Act, unless the context clearly requires otherwise, shall have the following meanings:

(a) "**Crime victim**" means (1) a person physically injured in this State as a result of a violent crime perpetrated or attempted against that person or (2) a person who suffers injury to or loss of property as a result of a violent crime perpetrated or attempted against that person or (3) a single representative who may be the spouse, parent, child or sibling of a person killed as a result of a violent crime perpetrated against the person killed or the spouse, parent, child or sibling of any person granted rights under this Act who is physically or mentally incapable of exercising such rights, except where the spouse, parent, child or sibling is also the defendant or prisoner or (4) any person against whom a violent crime has been committed or (5) any person who has suffered personal injury as a result of a violation of Section 11-501 of the Illinois Vehicle Code, or of a similar provision of a local ordinance, or of Section 9-3 of the Criminal Code of 1961, as amended; [.]

(c) "**Violent Crime**" means any felony in which force or threat of force was used against the victim, or any offense involving sexual exploitation, sexual conduct or sexual penetration, domestic battery, violation of an order of protection, stalking, or any misdemeanor which results in death or great bodily harm to the victim or any violation of Section 9-3 of the Criminal Code of 1961, or Section 11-501 of the Illinois Vehicle Code, or a similar provision of a local ordinance, if the violation resulted in personal injury or death, and includes any action committed by a juvenile that would be a violent crime if committed by an adult. For the purposes of this paragraph, "personal injury" shall include any Type A injury as indicated on the traffic accident report completed by a law enforcement officer that requires immediate professional attention in either a doctor's office or medical facility. A Type A injury shall include severely bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene; [.]

Actor	Action																
	<p>If the AED becomes inoperable, the district must replace or repair it within 45 days. 210 ILCS 74/50; Sec. 527.600(a).</p> <p>Designates each Building Principal as the individual who must be notified in the event of a medical emergency. Sec. 527.400(a).</p> <table border="0" style="width: 100%;"> <tr> <td style="text-align: center; width: 50%;">Building</td> <td style="text-align: center; width: 50%;">Office Contact</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </table> <p>Upon receiving a completed report that an AED was used (4:170-AP6, E2, <i>Automatic External Defibrillator Incident Report</i>), notifies the EMS System Resource Hospital in accordance with Sec. 527.500(a). EMS System Resource Hospital: _____</p>	Building	Office Contact	_____	_____	_____	_____	_____	_____								
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Plan Coordinator	<p>Responsibilities Concerning Emergency Responders</p> <p>With the Building Principal, identify all staff members who, through their education or training, are appropriate emergency responders for specific facilities. If possible, train all emergency responders, CPR, and AED users.</p> <table border="0" style="width: 100%;"> <tr> <td style="text-align: center; width: 50%;">Facility</td> <td style="text-align: center; width: 50%;">Emergency Response Providers</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </table> <p>Responsibilities Concerning AED Users</p> <p>Determines the appropriate number of trained AED users and anticipated rescuers or users needed for each facility equipped with an AED. Each facility with an AED must have at least one trained AED user on staff and present during all physical fitness activities and take reasonable measures to ensure that anticipated rescuers or users are trained. Sec. 527.800(a).</p> <p>Working with the Building Principal, identifies trained AED users and requests that other appropriate staff members and anticipated rescuers or users become trained.</p> <table border="0" style="width: 100%;"> <tr> <td style="text-align: center; width: 50%;">Facility</td> <td style="text-align: center; width: 50%;">Trained AED Users</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </table> <p>Responsibilities Concerning AED Registration</p> <p>Registers the AED with the EMS System Resource Hospital listed above. Sec. 527.500(b).</p>	Facility	Emergency Response Providers	_____	_____	_____	_____	_____	_____	Facility	Trained AED Users	_____	_____	_____	_____	_____	_____
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Actor	Action								
	<p>Notifies an agent of the local emergency communications or vehicle dispatch center of the existence, location, and type of AED. Sec. 527.500(c).</p> <p>Provides a list of trained users at each building equipped with an AED to the Resource Hospital. Sec. 527.500(b)(1).</p>								
	<p>Cooperates with requests from the Resource Hospital for manufacturer's guidelines for maintenance and training. Sec. 527.500(b)(2).</p> <p>Responsibilities Concerning Location of AED and Other First Aid Equipment</p> <p>Indoor Facility - Decides, with input from the Building Principal or designee, where to place the AED and other first aid equipment so that their location will be conspicuous, easily accessible, and convenient; the AED must be mobile and accessible at all times. Sec. 527.600(a).</p> <p>Outdoor Facility - Ensures: (1) the AED is placed within 300 feet of the outdoor facility in an open building that has marked directions to the AED at its entrances, or (2) that when no building within 300 feet of the outdoor facility exists, the person responsible for supervising the activity has the AED available at the outdoor facility during the event or activity.</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; width: 50%;">Facility</th> <th style="text-align: center; width: 50%;">First Aid & AED Location</th> </tr> </thead> <tbody> <tr> <td style="border-top: 1px solid black; border-bottom: 1px solid black;"></td> <td style="border-top: 1px solid black; border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-top: 1px solid black; border-bottom: 1px solid black;"></td> <td style="border-top: 1px solid black; border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-top: 1px solid black; border-bottom: 1px solid black;"></td> <td style="border-top: 1px solid black; border-bottom: 1px solid black;"></td> </tr> </tbody> </table> <p>Keeps a copy of the AED's manual with the AED. Sec. 527.700(b).</p> <p>Responsibilities Concerning Notification and Posting</p> <p>Along with the Building Principal, notifies all staff members of the location of any AEDs as well as the instructions for responding to medical emergencies. Sec. 527.800(b).</p> <p>Responsibilities Concerning Training</p> <p>Coordinates, with input from the Building Principal, the training of: (1) all staff members who regularly supervise students in physical fitness facilities in the use of CPR and, if appropriate, AEDs, and (2) any non-employee coaches, instructors or other similarly situated anticipated rescuers or users. Sec. 527.800(a) and 210 ILCS 74/15(b-5).</p> <p>Responsibilities Concerning Instructions for Responding to Medical Emergencies</p>	Facility	First Aid & AED Location						
Facility	First Aid & AED Location								

Actor	Action
	<p>Along with the Building Principal, notifies all facility staff of the location of any AEDs and the <i>Step-by-Step Emergency Response Plan</i> described below. Sec. 527.800(b).</p> <p>Coordinates, along with the Building Principal, the posting of the <i>Step-by-Step Emergency Response Plan</i> described below. Sec. 527.800(b).</p> <p>Responsibilities Concerning Maintenance and Testing of AEDs</p> <p>Ensures that all AEDs are maintained and tested according to manufacturer's guidelines. Sec. 527.700(a).</p> <p>Maintains a record of the applicable maintenance and training at the facility. Sec. 527.500(b)(2).</p> <p>Keeps a copy of the maintenance and testing manual at the facility and keeps a copy of the manual with each AED. Sec. 527.700(b).</p>
Building Principal	<p>In a conspicuous place in the physical fitness facility, posts: (1) the list of all staff members who are emergency responders, and (2) the <i>Step-by-Step Emergency Response Plan</i> described below. Sec. 527.400(a).</p> <p>Posts a notice at the school's main entrance stating that an AED is located on the premises. Sec. 527.600(a).</p> <p>Receives notice in the event of a medical emergency. Sec. 527.400(a).</p>
School Nurses	<p>Along with the Plan Coordinator, help staff members understand the instructions for responding to medical emergencies.</p> <p>These instructions must provide that the AED should be operated only by trained AED users, unless the circumstances do not allow time to be spent waiting for a trained AED user to arrive. Sec. 527.800(c).</p>
Trained AED Users and/or Other Emergency Responders	<p>According to their training, use appropriate emergency responses upon the occurrence of any sudden, serious, and unexpected sickness or injury that would lead a reasonable person, possessing an average knowledge of medicine and health, to believe that the sick or injured person required urgent or unscheduled medical care. Sec. 527.400(a).</p> <p>According to their training, use the AED to help restore a normal heart rhythm when a person's heart is not beating properly. Sec. 527.400(a).</p> <p>Calls 9-1-1 for medical emergencies and whenever an AED is used. Sec. 527.400(b); Sec. 527.500(a).</p> <p>Informs the Building Principal whenever the AED or other emergency</p>

Actor	Action
	<p>response is used. Sec. 527.400(a).</p> <p>Whenever an AED is used, completes 4:170-AP6, E2, <i>Automatic External Defibrillator Incident Report</i>, and forwards it to the Superintendent so that it can be sent or faxed to the EMS System Resource Hospital. Sec. 527.500(a).</p>
All Facility Staff Members and Users	<p>Follow the <i>Step-by-Step Emergency Response Plan</i> described below:</p> <ol style="list-style-type: none"> 1. Immediately notify the building's emergency responder(s) whose contact information is posted in the facility. Under life and death circumstances call 9-1-1 without delay. 2. Bring the first aid equipment and AED to the emergency scene. The AED should be operated only by trained AED users for the intended purpose of the AED, unless the circumstances do not allow time for a trained AED user to arrive. 3. Immediately inform the Building Principal or designee of the emergency. 4. The emergency responder will take charge of the emergency. This person will apply first aid, CPR, and/or the AED, as appropriate. 5. If necessary, the emergency responder instructs someone to call 9-1-1, providing the location in the building and which entrance to use. This person should make sure someone is sent to open the door for paramedics and guide them to the scene. 6. When paramedics arrive and assume care of the victim, the emergency responder or other staff person notifies the victim's parent/guardian or relative. 7. If an AED was used, the person using it completes the <i>Automatic External Defibrillator Incident Report</i>, 4:170-AP6, E2. If appropriate, a supervising staff member completes an accident report. 8. If an adult refuses treatment, the emergency responder documents the refusal and, if possible, asks the adult to sign a statement stating that he or she refused treatment.

Operational Services

Exhibit - School Staff AED Notification Letter

On District letterhead

Date:

To: Staff members

Re: Notification to School Staff of the Physical Fitness Facility Medical Emergency Response Instructions and AED Availability

We would like to notify you about our plan for responding to medical emergencies that might occur in our gymnasium or other physical fitness facility. This plan includes access to an Automatic External Defibrillator (AED) in the following locations in these facilities:

Facility	Location
_____	_____
_____	_____
_____	_____

The AEDs are strategically placed and readily accessible to predetermined AED users to maximize rapid use. The AED is available during school hours and after school during on-site school activities. The predetermined AED users are school nurses and any other person who has received AED training (American Heart Association, American Red Cross, or equivalent training) and has a completion card on file with the Superintendent. Any anticipated rescuers or users should now also be trained and certified.

The following information is posted with each AED:

1. Instructions to immediately call 9-1-1 and instructions for emergency care.
2. Instructions for using an AED.

Please contact me if you would like information on becoming a trained AED user. If you anticipate that your duties make you more likely to use an AED you should become trained and certified. We appreciate your support.

Sincerely,

Superintendent

Attachments: Step-by-Step Emergency Response Plan (page 4 of 4:170-AP6, *Plan for Responding to a Medical Emergency at a Physical Fitness Facility*)

Operational Services

Exhibit - Automatic External Defibrillator Incident Report

To be completed by the person who used the AED

Patient name: _____ Age: _____

Patient identification: Student Parent Other: _____

Date of incident: _____ Description of incident: _____

Name of person who determined victim's unresponsiveness: _____

Name of person applying AED: _____

Number of times patient was defibrillated: _____

Time 9-1-1 was called: _____

Patient vitals prior to arrival of EMS: Breathing Yes No

Pulse Yes No

Heart rhythm: _____

Time EMS arrived: _____

Patient vitals after arrival of EMS: Breathing Yes No

Pulse Yes No

Heart rhythm: _____

Patient transported to: _____

List series of events from start of emergency until conclusion:

Forward completed incident report to the Superintendent. Upon receipt, the Superintendent or designee shall send or fax this incident report to the EMS System Resource Hospital.

Signature of person who administered AED

Date

Address

Telephone

Operational Services

Administrative Procedure - Targeted School Violence Prevention Program

Threat assessment procedures work best when incorporated into an overall Targeted School Violence Prevention Program strategically developed and collectively implemented by local school officials, District staff, student body members, and the community. This administrative procedure contains four sections as follows:

1. Glossary of Terms
2. Targeted School Violence Plan
3. Preparedness for a Targeted School Violence Crisis, Response, and Recovery
4. Threat Assessment (Three Phases)
 - Phase One: Identification
 - Phase Two: Inquiry
 - Phase Three: Investigation

Glossary of Terms

Threat - An expression of intent to harm someone that may be spoken, written, or expressed in some other way, such as through gestures.

Targeted School Violence - Includes school shootings and other school-based attacks where the school was deliberately selected as the location for the attack and was not simply a random site of opportunity.

Targeted School Violence Prevention Program - The overall process used to create a District and school environment that is conducive to learning by identifying, managing, and preventing threats and acts of Targeted School Violence.

Targeted School Violence Prevention Plan (TSVP Plan) - The strategic procedures used to integrate a Targeted School Violence Prevention Program into a District's existing policies and procedures.

Targeted School Violence Prevention Team (TSVP Team) - A District level team that the Superintendent creates to develop a Targeted School Violence Prevention Plan and oversee the District's Targeted School Violence Prevention Program.

Threat Assessment - A rational approach to prevent school violence through evaluating students that demonstrate potentially dangerous behavior. Developed by the U.S. Secret Service and adapted for use in school settings, it aims to first assess the seriousness of the threat and then the appropriate response to resolve it and ultimately prevent an act of Targeted School Violence.

Threat Assessment Team - A building-level team that performs a threat assessment when activated by the Building Principal.

It may include the Building Principal, Assistant Building Principal, School Resource Officer, School Psychologist, and School Counselor or Social Worker.

Targeted School Violence Prevention Plan

Following are the strategic procedures to integrate a Targeted School Violence Prevention Program into the District's existing policies and procedures.

Actor	Action
Superintendent	<p>Select a Targeted School Violence Prevention Team (TSVP Team) from throughout the community that could include:</p> <ul style="list-style-type: none"> Building Principals (Building Principals are mandatory for successful implementation of a TSVP Plan). District Safety Team Program Coordinator (see 4:170-AP1, <i>Comprehensive Safety and Crisis Program, Part A, Safety Team</i>) Law enforcement representatives Board attorney District psychologist(s) School Social Worker <p>Chair and convene TSVP Team meetings for purpose of completing District-level TSVP Plan.</p> <p>Inform School Board of the TSVP Team's progress and needs by adding information item to Board's agendas as needed.</p>
Targeted School Violence Prevention Team	<p>Develop processes to identify, assess, and manage threatening communications and situations.</p> <p>Identify policies and procedures which possibly affect a TSVP Plan, including but not limited to:</p> <ul style="list-style-type: none"> 1:20, <i>District Organization, Operations, and Cooperative Agreements</i> 2:150, <i>Committees</i> 2:240, <i>Board Policy Development</i> 3:40, <i>Superintendent</i> 3:60, <i>Administrative Responsibility of the Building Principal</i> 4:170, <i>Safety</i> 5:230, <i>Maintaining Student Discipline</i> 6:65, <i>Student Social and Emotional Development</i> 6:120, <i>Education of Children with Disabilities</i> 6:235, <i>Access to Electronic Networks</i> 7:20, <i>Harassment of Students Prohibited</i> 7:130, <i>Student Rights and Responsibilities</i> 7:140, <i>Search and Seizure</i> 7:150, <i>Agency and Police Interviews</i> 7:170, <i>Vandalism</i> 7:180, <i>Preventing Bullying, Intimidation, and Harassment</i> 7:190, <i>Student Discipline</i> 7:200, <i>Suspension Procedures</i>

Actor	Action
	<p>7:210, <i>Expulsion Procedures</i> 7:230, <i>Misconduct by Students with Disabilities</i> 7:250, <i>Student Support Services</i> 7:340, <i>Student Records</i> 8:10, <i>Connection with the Community</i> 8:95, <i>Parental Involvement</i></p> <p>Recommend, through the Superintendent, all policy changes to the School Board for consideration. See policy 2:240, <i>Board Policy Development</i>.</p> <p>Appoint Building Principals as a “point of contact” to accept reports of threats.</p>
Building Principal	<p>Establishes and leads building level Threat Assessment Teams consisting of available personnel such as the Principal, School Counselor/School Psychologist, and School Law Enforcement/Resource Officer. (The building level team composition can be adapted to meet the staffing patterns for different schools and may include other disciplines.)</p> <p>Ensures 4:170 AP-1, <i>Administrative Procedure - Comprehensive Safety and Crisis Program, Part C, Site Based Safety Plan</i>, is available throughout schools (do not limit to office); distributes to and discusses with local law enforcement; regularly reviews plan with the building staff.</p> <p>Publicizes and educates staff, parents/guardians, students, and community members: (1) to report students and situations of concern to any school administrators or other authorities (i.e., local law enforcement), and (2) how school officials will address these concerns. This can be accomplished by distributing 4:170-E3, <i>Targeted School Violence Prevention and Threat Assessment Education</i>, and discussing what Threat Assessment Teams are and what they do when they learn of a threat.</p> <p>When a tip or concern is raised, proceed with <u>Threat Assessment</u> section, Phase One: Identification of Threat procedures.</p> <p>Provide follow-up acknowledgements to those who provide information, e.g., “we appreciate your bringing this situation to our attention” or “we have carefully considered the information you shared with us.”</p>
School Board	<p>Monitor 4:170, <i>Safety</i>, and make changes recommended by the TSVP Team. See policy 2:240, <i>Board Policy Development</i>.</p> <p>Provide both the TSVP and Threat Assessment Teams with</p>

Actor	Action
	appropriate resources.
Superintendent/Building Principal	Ensures the student disciplinary policies referred to in student handbooks notify students that threatening behavior could subject a student to disciplinary consequences. See 7:180, <i>Preventing Bullying, Intimidation, and Harassment</i> and 7:190, <i>Student Discipline</i> .

Preparedness for a Targeted School Violence Crisis, Response, and Recovery

This portion follows 4:170-AP1, *Comprehensive Safety and Crisis Program* and suggests additional steps specific to managing a Targeted School Violence crisis that school officials may want to incorporate in the District's existing Safety and Crisis Program.

Actor	Action
Superintendent, Building Principal, and Targeted School Violence Prevention Team	Examines 4:170-AP1, <i>Comprehensive Safety and Crisis Program</i> procedures and recommend any changes to existing procedures to Superintendent or Safety Team Program Coordinator.
Safety Team Program Coordinator	<p>Meet with TSVP Team to foster an understanding of what additional items the District's Safety Team might add to its procedures to accomplish a response and recovery.</p> <p>Add an agenda item to the 4:170-AP1, <i>Comprehensive Safety and Crisis Program, Part A. Safety Team</i> meetings specific to Targeted School Violence; consider inviting the Board attorney and local law enforcement and emergency responders to this meeting.</p> <p>During a crisis, legal counsel should be a crucial element to crisis response and management because school officials must make split second decisions, often with legal consequences to the District; local law enforcement's familiarity with who the District's legal counsel is <i>before</i> a crisis occurs will assist with a faster connection between legal counsel and the school officials involved in the early stages of a Targeted School Violence Crisis the immediate response to it.</p>
Superintendent and Building Principal(s)	<p>For Crisis Preparedness and Response, ensure:</p> <p>4:170-AP1, <i>Comprehensive Safety and Crisis Program, Part I</i> Site Based Safety Plan, reflects each individual building's needs.</p> <p>4:170-AP1, <i>Comprehensive Safety and Crisis Program, Part D</i> School Safety Drill Program, supports a TSVP Plan, specifically consider whether to add a law enforcement drill</p>

Actor	Action
	<p>if the school does not already participate.</p> <p>4:170-AP1, <i>Comprehensive Safety and Crisis Program</i>, Part H reflects the District's and each building's needs, especially the section on "Weapons and Explosives on Campus" and also ensures that multiple copies of these plans exist and appropriate persons have access to them (one copy in Building Principal's office is insufficient).</p> <p>For crisis recovery, ensures:</p> <p>4:170-AP1, <i>Comprehensive Safety and Crisis Program</i>, Parts J and K, reflects District needs and that the Board attorney is aware of the plans.</p> <p>Recommend to the Safety Team Program Coordinator any other additional crisis recovery items that the safety team deems necessary.</p>

Threat Assessment

The procedures of this section rely heavily upon Building Principals to lead Threat Assessment Teams through the use of 4:170-AP7, E1, E2, and E3 to identify, assess, and manage threatening behavior.

Phase One: Identification of Threat

Actor	Action
Anyone	Identifies student or situation to applicable Building Principal.
Building Principal (alone or with Threat Assessment Team)	<p>Assesses the question: "How much time do we have?" If time is critical, refer matter to local law enforcement immediately.</p> <p>Notifies the Superintendent.</p> <p>If not immediately referred to local law enforcement, uses 4:170-E1, <i>Threat Assessment Decision Tree</i>, and follows steps to evaluate the threat (generally, a Building Principal can quickly resolve the first three steps without engaging the full Threat Assessment Team in a comprehensive threat assessment).</p> <p>Step 1: Evaluate threat.</p> <p>Using 4:170-E2, <i>Threat Assessment Documentation</i>, thoroughly and promptly collects information and evaluates threat by:</p> <ol style="list-style-type: none"> 1. Interviewing student with a standard set of questions and documenting the facts; 2. Notifying the student's parent(s)/guardian(s) (use 7:190-E, <i>Aggressive Behavior Reporting Letter and Form</i>, when appropriate);

Actor	Action
	<p>3. Notifying the parent(s)/guardian(s) of the recipient(s)/victim(s); and</p> <p>4. Assessing the need for confidentiality of the information gathered from students and other witnesses during the threat assessment inquiry or investigation phases.</p> <p>Step 2: Decide whether threat is clearly transient or substantive.</p> <p>Considers the context of how the threat was made and categorize the level of risk as transient or substantive. The most important distinction between transient and substantive threats is that substantive threats require protective action to prevent the threat from being carried out. Serious discipline violations do not always constitute substantive threats.</p> <p>Transient threats proceed to Step 3: Respond to transient threat.</p> <p>Substantive threats skip Step 3 and proceeding directly to Step 4: Assess whether the substantive threat is serious or very serious, below in <u>Phase Two: Threat Assessment Inquiry - Building Level</u>.</p> <p>Step 3: Respond to transient threat.</p> <p>When the threat is transient, the full threat assessment team does not need to perform a comprehensive threat assessment, determines appropriate management and discipline considerations and responds accordingly. When a transient threat is sparked by an argument or conflict, may involve other Threat Assessment Team members to determine the appropriate management and discipline considerations to resolve the problem.</p> <p>See policies 7:190, <i>Student Discipline</i> and 6:120, <i>Education of Children with Disabilities</i>.</p>

Phase Two: Inquiry

Actor	Action
<p>Building Principal and Threat Assessment Team</p>	<p>Step 4: Assess substantive threat as serious or very serious.</p> <p>Keep Superintendent informed.</p> <p>Assess whether the threat is <i>serious</i> or <i>very serious</i> by examining the intended severity of the threatened injury/action. Consult with notes on E2, <i>Threat Assessment Documentation</i>.</p> <p><i>Serious threats</i> (generally threats to assault and batter)</p>

Actor	Action
	<p>proceed to Step 5.</p> <p><i>Very serious threats</i> (generally threats involving the use of a weapon, murder, sexually assault, or severely injure others) skip Step 5, proceeding directly to Step 6 below in <u>Phase Three: Threat Assessment Investigation - Local Law Enforcement</u>.</p> <p>Manage the student of concern; consider contacting Board attorney; and ensure discreteness of situation. See, 7:130, <i>Student Rights and Responsibilities</i>, 7:140, <i>Student Search and Seizure</i>, 7:180, <i>Preventing Bullying Intimidation and Harassment</i>, 7:250 <i>Student Support Services</i> and 7:250-AP2, <i>Protocol for Responding to Students with Social Emotional, or Mental Health Problems</i>.</p> <p>Step 5: Respond to serious substantive threat.</p> <p>Notify and protect all potential recipients/victims and notify their parents/guardians. Use 4:170-E2, <i>Threat Assessment Documentation</i>, to ensure that protective action reflects the circumstances of the threat.</p> <p>Caution the student about the consequences of carrying out the threat and keep student's parent(s)/guardian(s) informed.</p> <p>Determine the appropriate management and discipline considerations to resolve the problem. See 7:190, <i>Student Discipline</i> and policy 6:120, <i>Education of Children with Disabilities</i>, 7:200, <i>Suspension Procedures</i> and 7:210, <i>Expulsion Procedures</i>.</p>

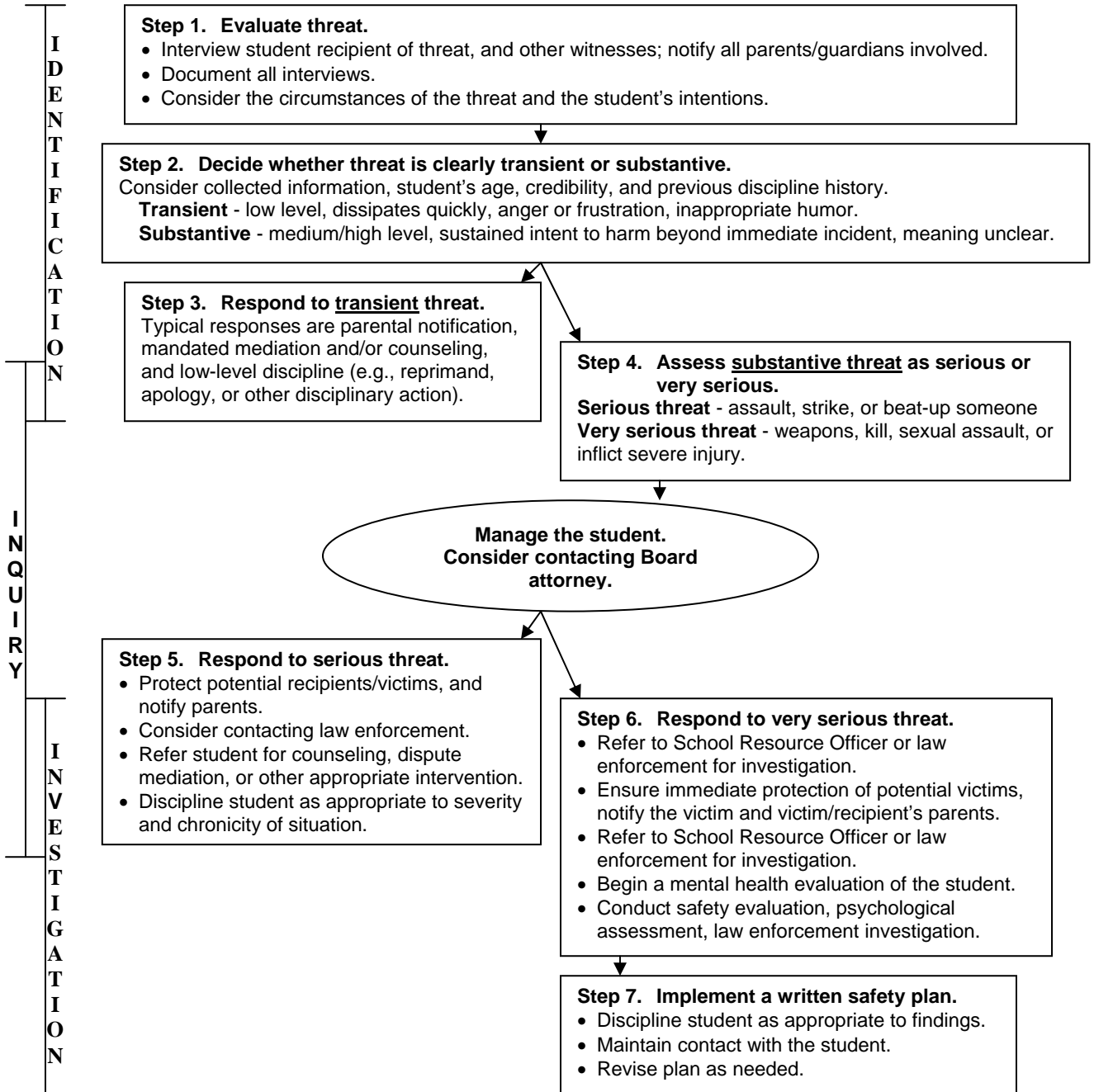
Phase Three: Investigation - School Resource Officer and/or Local law enforcement

Actor	Action
<p>Building Principal and Threat Assessment Team in conjunction with Local Law Enforcement Investigators</p>	<p>Step 6: Respond to Very Serious Threat</p> <p>Conduct safety evaluation, psychological assessment, or law enforcement investigation.</p> <p>Consider suspension to ensure immediate protection of all potential recipients/victims and notify their parents/guardians. Use 4:170-E2, <i>Threat Assessment Documentation</i>, to ensure that protective action reflects the circumstances of the threat.</p> <p>Refer student for mental health evaluation; manage the student of concern; contact Board attorney; and ensure discreteness of situation. See, 7:200, <i>Suspension Procedures</i>, 7:250, <i>Student Support Services</i> and 7:250-AP2, <i>Protocol for Responding to Students with Social, Emotional, or Mental Health Problems</i>.</p>

Actor	Action
	Refer matter to the School Resource Officer and/or local law enforcement to investigate and engage other resources within the community.
School Resource Officer and/or Local Law Enforcement	Issue findings and recommendations of investigation to Threat Assessment Team.
Building Threat Assessment Team	<p>Determines appropriate management and discipline; recommend suspension or expulsion based upon the findings and recommendations of local law enforcement. See, 7:200, <i>Suspension Procedures</i>, 7:210, <i>Expulsion Procedures</i>, 7:250, <i>Student Support Services</i> and 7:250-AP2, <i>Protocol for Responding to Students with Social, Emotional, or Mental Health Problems</i>.</p> <p>Step 7: Implement a written safety plan.</p> <p>If student returns to school, integrate findings and recommendations of investigation to create a written safety plan that manages protection of potential recipients/victims while addressing student(s)' educational needs. The plan should, among other things:</p> <ul style="list-style-type: none"> • Describe conditions the student must meet to return and stay in school; • Implement procedures to monitor the student if he or she returns to the school; • Include feedback from the student(s)' parent(s)/guardian(s) (when appropriate); and • Include other items as deemed appropriate by the Threat Assessment Team. <p>See 6:120, <i>Education of Children with Disabilities</i>, 7:250, <i>Student Support Services</i> and 7:250-AP2, <i>Protocol for Responding to Students with Social, Emotional or Mental Health Problems</i>.</p>

Operational Services

Exhibit - Threat Assessment Decision Tree



Operational Services

Exhibit - Threat Assessment Documentation

Below is a sample threat assessment documentation form. Each section contains foundational questions designed to help threat assessment teams gather information to evaluate, manage and prevent threats. School threat assessment teams should modify the questions and spacing of the form to fit their needs. Consult Board policy, 7:340, *Student Records*, for appropriate recordkeeping procedures for this information. Adapted from Cornell, D., Sheras, P., (Sopris West 2006). *Guidelines for Responding to Student Threats of Violence*, p. 110.

Your name	Title
Student	School
Date learned of threat	Date threat occurred
Threat reported by	Location of threat
Threat type: <input type="checkbox"/> Transient <input type="checkbox"/> Serious Substantive <input type="checkbox"/> Very Serious Substantive	
What student said or did to express a threat (<i>quote student if possible, write exact content of threat</i>):	

Student Interview (*Use as the interview foundation; modify and use additional pages as needed.*)

1. Do you know why I wanted to talk with you? Tell me.

2. What happened today when you were ...(*refer to place of incident*)?

3. What exactly did you say? And what exactly did you do? (*write down student's exact words*)

4. What did you mean when you said/did that? (*student's motives/goals*)

5. How do you think (*recipient/victim*) feels about what you said/did? (*See if student believes it frightened or intimidated the recipient/victim of threat.*)

6. What was the reason you said/did this threat? (*Find out if there is prior conflict or history to this threat.*)

7. What are you going to do now that you have made this threat? (*Does student intend to carry out threat?*)

8. Can you think of a different, more desirable and acceptable, effective way to address this conflict?

Witness Interview Recipient/victim of threat or Witness to threat, but not recipient/victim (*Duplicate this portion to accommodate the number of witness interviews needed.*)

Witness name and grade/title: _____

1. What exactly happened today when you were...(*refer to place of incident*)?

2. What exactly did (recipient/victim) say/do? (*Write down student's exact words.*)

3. What do you think he/she meant when he/she said/did that?

4. How did you feel about what he/she said/did? Are you concerned he/she might really do it?

5. What was the reason he/she said/did that?

Risk Factors for Violence *(Use these questions when threat is substantive.)*

Family Dynamics

1. Does student have access to guns at home?
2. Is there evidence at home of preparations for an attack at school?
3. What is the home life of the student like?

School Dynamics

1. What do we know about the student at school?
2. Does his or her locker harbor a weapon?
3. Was the student angry or brooding when he or she made a threat?
4. What else can be learned?

Social Dynamics

1. What do we know about the student's life in the community?
2. Does he or she have a juvenile record? Criminal record? Prior station adjustments? For what?

Personal Dynamics

1. What do the student's closest acquaintances know about him or her?
2. Does the student have a fascination with violent electronic media or weapons?
3. Is the student showing outward signs of mental turmoil?

Student Who Made Threat

Grade: _____ Gender: M F
 Race: _____
 SPED (if applicable): LD OHI MR
ED Other: _____

- Y N Had or sought accomplices
 Y N Reported threat as a specific plan
 Y N Written plans/list, engaged in attack related behaviors
 Y N Repeated threat over time
 Y N Weapon mentioned or used in threat
 Y N Inappropriate interest in school attacks, attackers, mass violence, terrorism
 Y N Student's "story" consistent with actions
 Y N Student & recipient had prior conflict (>1 day)
 Y N Student previously bullied the recipient
 Y N Reported threat as a specific plan

Recipient/Victim of Threat

of Victims: _____
 Primary recipient: Student Teacher
Administrator Parent Other
 Grade: _____ Gender: M F
 Race: _____
 SPED (if applicable): LD OHI MR
ED Other: _____

- Y N Recipient/victim witnessed threat
 Y N Recipient/victim previously bullied the student
 Y N Student previously bullied by recipient/victim
 Y N Concerns about student's potential to carryout act or potential for violence
 Y N Recipient(s)/victim(s) previously bullied the student

Threat Responses (*Management and prevention*)**Disciplinary Action**

- Y N Parent conference
 Y N In school time-out
 Y N Detention (# of days): _____
 Y N Suspension (# of days): _____
 Y N Expulsion recommended
 Y N Other response

Interventions and Safety Precautions

- Y N Law enforcement consulted
 Y N Law enforcement contact with student who made threat
 Consequence of legal action (*Station adjustment, supervision, conditional discharge, adjudication of delinquent minor, release into parents custody*)
 Y N Student might be eligible for special education services, referred for evaluation
 Y N Student already receiving special education services, referred to IEP team for review
 Y N Student referred for 504 plan
 Y N Mental health assessment conducted by school-based staff
 Y N Mental health assessment conducted by outside agency (*court, Dept. of Probation, DCFS, other psychologist*)
 Y N Parents of threat recipient notified of threat
 Y N Conflict mediation
 Y N School based counseling
 Y N Alter student's schedule to increase supervision or minimize contact with recipient
 Y N Alternative educational placement (*alternative school, day treatment program*)
 Y N Change in transportation (*bus suspension, special transportation, etc.*)
 Y N Inpatient mental health services
 Y N Outpatient mental health services (*counseling/therapy with outside mental health provider*)
 Y N Other mental health services (*counseling/therapy with outside mental health provider*)
 Y N Other safety precautions (*please list*):

Operational Services

Exhibit - Targeted School Violence Prevention and Threat Assessment Education

On District letterhead

Date:

To: District Staff and Parents

From: Building Principal

Re: Targeted School Violence Prevention Program

Our District has a standard procedure for responding to student threats of violence. Below is a brief synopsis of situations where school officials want individuals to bring forth information identifying a threat or situation of concern to the Building Principal. Once identified, the Building Principal will determine whether a threat exists and whether to engage in further investigation.

Any situation or student of concern should be brought forward. Threat assessment is a valuable component of a comprehensive approach to preventing targeted school violence. The identification of threats is everyone's responsibility: our students, parents, staff, and community members.

What Is a Threat?

A threat is an expression of intent to harm someone that may be spoken, written, or expressed in some other way, such as through gestures. Threats may be direct (*I'm going to beat you up* or *I'm going to blow this place up!*) or indirect (*Come and watch what I am going to do to him/her.*). A threat can be vague (*I'm going to hurt him.*) or implied (*You better watch out.*). Any possession of a weapon or mention of one is a possible threat. Sometimes students make threats that are in fun or may be "just kidding" but sometimes a threat is very serious and/or criminal. When you are in doubt as to whether the statement is kidding or serious, the responsible thing to do is to report it.

What Can Staff and Parents Do?

Educate students about what a threat is, encourage students not to make threats in the first place, and reiterate that seeking help to prevent someone from getting hurt or hurting another is appropriate.

Operational Services

Exhibit - Accident or Injury Form

The supervisory staff member must complete this form for submission to the Superintendent whenever any person, student, or adult, is injured on District property or at a District sponsored event.

Name of injured person _____

Age _____ Male Female Telephone _____

Address _____

Class, activity, or event _____

Accident location _____

Accident date _____ Time of accident _____

How did the accident occur? (Describe sequence of events) _____

An emergency contact was notified as follows:

Contact name _____ Relationship _____

Time and method of contact _____ By whom _____

Witnesses Information

Name	Address	Telephone

First aid administered Yes No If yes, describe first aid and by whom? _____

Name of Supervisor (*please print*)

Signature

Date

Operational Services

Exhibit - Memo to Staff Members Regarding Contacts by Media About a Crisis

If the media attempts to contact you about a death or other crisis, please follow these guidelines:

1. It is perfectly correct to tell a reporter that you would rather not comment on the incident especially if it has been an emotional strain. Rather than shouting “No comment” (which sounds like you are trying to hide something), say something like, “this incident has affected the school community greatly and I would prefer to not comment on it.” One should then refer the reporter to the Safety Program Coordinator or the designated spokesperson.
2. According to School Board policy and the Family Educational Rights and Privacy Act, the only information about a student that the school is allowed to release is a verification of his or her attendance at the school. If the parents give permission, certain general information (address, date and place of birth, participation in sports or activities, awards received, etc.) may also be released. In the event of parental approval, that information will be given to the media by the Superintendent or the designated spokesperson.
3. Comments such as the following should be avoided: “He was a B student,” “She was having trouble in class and I had referred her to the social worker last week,” and, of course, “He was constantly in trouble for dealing drugs and smoking on school grounds.” For the most part, it is better to avoid comments about individual students. If a reporter persists with these questions, say something like, “Board policy prohibits me from commenting on any student. Furthermore, I do not wish to infringe upon the family’s right to privacy.”
4. If you are comfortable with it, you may make comments about how the crisis has affected you individually. If the incident involved an athlete, the coach might say, “_____’s death is very tragic and the team and I will miss him.”
5. You may also address actions the school is taking to deal with the situation. For example, “Although this is a terrible situation, we are fortunate to have a crisis plan to counsel students and faculty who are understandably upset.”
6. Do not agree to set up interviews with students. All requests for interviews should be directed to the Safety Program Coordinator or the designated spokesperson.
7. Do not speculate or comment on the cause of death, especially in an apparent suicide or murder. Tell reporters that information on the death should be obtained from the police department.
8. Remember, you do not have to answer any questions. Simply refer all reporters to the Safety Program Coordinator or the designated spokesperson.

Operational Services

Exhibit - Emergency Medical Information for Students Having Special Needs or Medical Conditions Who Ride School Buses

The purpose of this form is to give school bus drivers and/or emergency medical technicians information about children who have special needs or medical conditions. One copy of this form is kept in the nurse's office and another copy is kept on the student's school bus in a secure location for bus drivers and emergency medical technicians. If the emergency care of the student requires medication, the parent/guardian must file a *School Medical Authorization Form* with the school nurse.

To be completed by the student's parent/guardian:

Student's Name <i>(Please print)</i>	Birth Date
Parent/Guardian's Name	Home Phone
School	Cell Phone
Grade	Teacher
Physician's Name	Physician's Phone
	School Nurse's Phone

My child's special needs are: *(list behavioral or communication challenges and required responses)*

My child requires medication for: *(describe conditions and circumstances)*

Medication and Where Kept	Dosage	Directions

Parent/Guardian Signature _____

Date _____

Operational Services

Exhibit - Letter to Parents Regarding Student Safety

On District letterhead

Date

Re: Student Safety

Dear Parents/Guardians:

Student safety is our District's top priority. In addition to physical safety, the District is concerned with students' emotional well-being and will help students cope with an emergency or disaster and its aftermath. The following outlines our emergency and disaster response plans.

Safety Plans

The District has plans for all four phases of emergency and disaster management:

1. Preparedness - planning for an emergency or disaster event;
2. Response - planned response to an emergency or disaster event;
3. Recovery - the process of returning to normal operations; and
4. Mitigation - steps taken to minimize the effects of an emergency or disaster.

These phases are covered in each school's site-based safety plan. In addition, the District has a Safety Program Coordinator and each school has a Crisis Management Team.

Communications

The District will disseminate emergency information via its website, through the media, and by telephone contact.

Emergency Responses

Emergency responses will depend on the circumstances and may include lockdown or evacuation. During a lockdown, no one may enter or leave the building until it is safe to do so. For evacuation purposes, each school has at least one off-campus site where students and staff assemble to be accounted for and temporarily housed.

In the unlikely event an emergency response is needed at your child's school, staff members will be totally engaged supervising students. We will attempt to provide information through the District's website www.whsd1.org.

If students are evacuated, students at _____ School will go to _____ . You may pick-up your child at this location after notifying the school official in charge. Additional instructions will be given in the event of an evacuation, including alternative methods to return your child home.

Cooperation and Assistance Request

During any emergency or potential disaster and for the safety of all students and staff, please follow the instructions of the District's Safety Program Coordinator as well as the Building Principal. These instructions will be widely disseminated.

Defamatory or disruptive behavior will only lessen our response effectiveness. If you have any questions, please feel free to contact the District office or your child's Principal. In the meantime, thank you for your cooperation and support.

Website Address: www.whsd1.org

District Office Number: 847-731-3085

Sincerely,

Superintendent

Operational Services

Exhibit - Annual School Safety Review

Pursuant to the School Safety Drill Act (P.A. 94-600), the School Board or its designee conducted the annual review of each school building's emergency and crisis response plans, protocols, and procedures and each building's compliance with the school safety drill program, the details of which follow:

District Superintendent

District Schools

Review Meeting Date Review Meeting Time Review Meeting Location

Indicate who was invited (having been given a minimum of 30 days' notice before the review's date) to participate and who attended:

Notified

Participants in Attendance

Board members or Board's designee:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Building Principal from each school:

_____	_____
_____	_____
_____	_____
_____	_____

Representatives from other appropriate educational organizations or associations:

Notified

Participants in Attendance

Representatives from all local first responder organizations:

Fire department(s):

Law enforcement department(s):

Other emergency medical service(s):

Other related organizations requesting participation:

Summary of recommended changes to the existing school safety and drill plans to be implemented:

Check all that apply:

- An effective review of the emergency and crisis response plans, protocols, and procedures and the school safety drill programs of the District and each of its school buildings has occurred.
- The School District will implement the review's recommended changes listed above.
- This Annual School Safety Review was authorized by the Board or its designee.

Completed by _____

Date _____

Send a copy of this report to each party that participated in the annual review process and to the Regional Superintendent of Schools. If any of the participating parties have comments on this report, they may submit their comments in writing to the Regional Superintendent.

Operational Services

Exhibit - Informing Parents About Offender Community Notification Laws

On District letterhead, website, and/or in student handbook

Date:

To: Parents/Guardians

Re: Offender Community Notification Laws

State law requires a Building Principal or teacher to notify parents/guardians during school registration or parent-teacher conferences that information about sex offenders and violent offenders against youth is available to the public.

You may find the Illinois Sex Offender Registry on the Illinois State Police's website at: <http://www.isp.state.il.us/sor/>.

You may find the Illinois Statewide Child Murderer and Violent Offender Against Youth Registry on the Illinois State Police's website at:

<http://www.isp.state.il.us/cmvo/>.

Operational Services

Convicted Child Sex Offender; Screening; Notifications

Persons Prohibited on School Property without Prior Permission

State law prohibits a child sex offender from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present, unless the offender meets either of the following two exceptions:

1. The offender is a parent/guardian of a student attending the school and has notified the Building Principal of his or her presence at the school for the purpose of: (i) attending a conference with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion; or
2. The offender received permission to be present from the School Board, Superintendent, or Superintendent's designee. If permission is granted, the Superintendent or Board President shall provide the details of the offender's upcoming visit to the Building Principal.

In all cases, the Superintendent or designee shall supervise a child sex offender whenever the offender is in a child's vicinity. If a student is a sex offender, the Superintendent or designee shall develop guidelines for managing his or her presence in school.

Screening

The Superintendent or designee shall perform fingerprint-based criminal history records information checks and/or screenings required by State law or Board policy for employees; student teachers; students doing field or clinical experience other than student teaching; contractors' employees who have direct, daily contact with one or more children; and resource persons and volunteers. He or she shall take appropriate action based on the result of any criminal background check and/or screen.

Notification to Parents/Guardians

The Superintendent shall develop procedures for the distribution and use of information from law enforcement officials under the Sex Offender Community Notification Law and the Murderer and Violent Offender Against Youth Community Notification Law. The Superintendent or designee shall serve as the District contact person for purposes of these laws. The Superintendent and Building Principal shall manage a process for schools to notify the parents/guardians during school registration that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law. This notification must occur during school registration and at other times as the Superintendent or Building Principal determines advisable.

LEGAL REF.: 20 ILCS 2635/, Uniform Conviction Information Act.
720 ILCS 5/11-9.3.
730 ILCS 152/, Sex Offender Community Notification Law.
730 ILCS 154/75-105, Murderer and Violent Offender Against Youth
Community Notification Law.

CROSS REF.: 5:30 (Hiring Process and Criteria), 5:260 (Student Teachers), 6:250
(Community Resource Persons and Volunteers), 8:30 (Visitors to and
Conduct on School Property), 8:100 (Relations with Other Organizations
and Agencies)

Operational Services

Pandemic Preparedness

The School Board recognizes that the District will play an essential role along with the local health department and emergency management agencies in protecting the public's health and safety if an influenza pandemic occurs. Pandemic influenza is a worldwide outbreak of a virus for which there is little or no natural immunity and no vaccine; it spreads quickly to people who have not been previously exposed to the new virus.

To prepare the School District community for a pandemic, the Superintendent or designee shall: (1) learn and understand the roles that the federal, State, and local government would play in an epidemic; (2) form a pandemic planning team consisting of appropriate District personnel and community members to identify priorities and oversee the development and implementation of a comprehensive pandemic influenza school action plan; and (3) build awareness of the final plan among staff, students, and community.

Emergency School Closing

In the case of a pandemic, any decision for an emergency school closing will be made by the Superintendent in consultation with and, if necessary, at the direction of the District's local health department, emergency management agencies, and Regional Office of Education.

LEGAL REF.: 105 ILCS 5/10-16.7 and 5/10-20.5.
115 ILCS 5/1 et seq.

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 2:20 (Powers and Duties of the School Board), 4:170 (Safety), 7:90 (Release During School Hours), 8:100 (Relations with Other Organizations and Agencies)

Operational Services

Administrative Procedure - School Action Steps for Pandemic Influenza

Building a strong relationship with the local health department and emergency medical agencies is critical for developing a meaningful school action plan to address pandemic influenza. The key planning activities in this checklist should build upon the District's existing contingency plans.

The following is a list of important step-by-step actions school officials should take before a pandemic influenza outbreak. This list needs to be repeated when an outbreak has several cycles or waves.

Prior to Outbreak/Preparedness and Planning Phase

Actor	Action
Superintendent or designee	Identify Pandemic Planning Team to operate as a Superintendent Committee that includes one or two School Board members, administrators, and staff members.
Superintendent and School Board	Identify, modify, and monitor relevant policies that a pandemic may possibly affect, including but not limited to: 1:20, <i>District Organization, Operations, and Cooperative Agreements</i> 2:20, <i>Powers and Duties of the School Board; Indemnification</i> 2:200, <i>Types of School Board Meetings</i> 3:70, <i>Succession Plan</i> 4:130, <i>Free and Reduced-Price Food Services</i> 4:180, <i>Pandemic Preparedness</i> 5:35, <i>Compliance with the Fair Labor Standards Act</i> 5:40, <i>Communicable and Chronic Infectious Disease</i> 5:180, <i>Temporary Illness or Incapacity</i> 5:185, <i>Family and Medical Leave</i> 5:200, <i>Terms and Conditions of Employment and Dismissal</i> 5:270, <i>Employment At-will, Compensation, and Assignment</i> 5:300, <i>Schedule and Employment Year</i> 5:330, <i>Sick Days, Vacation, Holidays and Leaves</i> 6:20, <i>School Year Calendar and Day</i> 6:120, <i>Education of Children with Disabilities</i> 6:150, <i>Home and Hospital Instruction</i> 7:70, <i>Truancy</i> 7:280, <i>Communicable and Chronic Infectious Disease</i> 8:100, <i>Relations with Other Organizations and Agencies</i>
Superintendent or designee and Pandemic Planning Team	Begin use of the School District (K-12) Pandemic Influenza Planning Checklist at: www.flu.gov/planning-preparedness/school/schoolchecklist.html . Ensure a succession plan exists in case Board members, administrators, and/or others are unable to fulfill duties during the pandemic. Succession plans for Board members unable to fulfill duties during the pandemic may create a vacancy on the Board. Discuss the issues of succession plans for elected officials with the Board Attorney.

Actor	Action
	<p>Work with local health and emergency preparedness officials. They may want to use the schools to disseminate information to families.</p> <p>Train employees about FLSA, overtime, and recordkeeping requirements necessary to work during a pandemic while the School District is closed.</p> <p>Open communications with employee unions regarding “wages, hours and terms and conditions of employment” during a pandemic.</p> <p>Address policies for employee absenteeism, identifying critical job functions, plans for alternate coverage, and return-to-work policies as well as flu symptom recognition.</p> <p>Train nurses and staff in flu symptom recognition. See 4:180-AP2, <i>Pandemic Influenza Surveillance and Reporting</i>. Remember that a person who is infected does not show symptoms right away, but children becoming ill may show different behavior than usual, such as eating less or being irritable. Knowing the differences between seasonal and pandemic flu is also critical to pandemic preparedness. A fact sheet is available at: www.cdc.gov/flu/pandemic-resources/basics/about.html.</p> <p>Train staff to protect themselves from occupational exposure to influenza through workplace <i>social distancing</i> based upon the Occupational Safety and Health Administration’s (OSHA), Guidance on Preparing Workplaces for an Influenza Pandemic, which may be found at: www.osha.gov/Publications/influenza_pandemic.html.</p> <p>Ensure that Standard Surveillance disease recognition procedures are in place and implemented. See 4:180-AP2, <i>Pandemic Influenza Surveillance and Reporting</i>.</p> <p>Encourage the use of simple non-medical ways to reduce the spread of flu by <i>cough and sneeze etiquette</i> and cleansing of hands and work areas.</p> <p>Decide to what extent the District will encourage or require students and staff to stay home when they are mildly ill. Some parents/guardians may need to be more cautious in keeping their students out of school.</p> <p>Identify students who have a greater risk of infection and are most vulnerable to serious illness. Review their health needs and encourage those families to talk with their health care providers.</p> <p>Assess nutritional assistance needs for students who receive free and reduced-price food programs. For more information about providing continuity of meal distribution for students eligible for reimbursable meals, see Q & A #5 at: www.isbe.net/Documents/usda_qa072309.pdf</p> <p>Through consultation with the Regional Office of Education and local authorities, develop strategies for remote learning through</p>

Actor	Action
	<p>collaborative agreements (television or other local cable stations, teleconferencing, electronic instructional resources, etc.).</p> <p>Educate staff, students, and parents/guardians about the differences between the various types of flu, best hygienic practices to prevent any sort of flu, and what could occur in a pandemic. See Sample Parent Letter #1, Preparation and Planning at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_ltr_preparation.pdf.</p> <p>Also see, Preparing for the Flu at: www.cdc.gov/h1n1flu/schools/toolkit/pdf/schoolflutoolkit.pdf and www.dph.illinois.gov/topics-services/diseases-and-conditions/influenza#publications-publications-influenza</p> <p>Review Sections IV and V of School Guidance During an Influenza Pandemic at: www.idph.state.il.us/pandemic_flu/schoolguide.htm.</p>

Outbreak of Flu Disease

Actor	Action
<p>Superintendent or designee</p>	<p>Consider issuing Sample Parent Letter # 2, First Bird Case at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_ltr_bird.pdf.</p> <p>Begin Heightened Surveillance responses. See 4:180-AP2, <i>Pandemic Influenza Surveillance and Reporting</i>.</p> <p>Issue Sample Parent/Guardian Letter #3, Illinois/Regional Cases, informing parents/guardians that some students are sick but schools remain open, include tip sheets and information resource list. A sample is at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_il_cases.pdf.</p>
<p>Pandemic Planning Team</p>	<p>Work with local health department regarding a press release announcing that schools will remain open and advising parents/guardians of their need to prepare. A sample, titled Schools Open, is at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_media_open.pdf.</p>
<p>Building Principal</p>	<p>Post flu prevention signs on campuses. See Section V of School Guidance During an Influenza Pandemic at: www.idph.state.il.us/pandemic_flu/schoolguide.htm.</p>

Expansion of the Outbreak

Actor	Action
<p>Local Health Department</p>	<p>Issue epidemic statement to general public.</p>

Superintendent or designee	Begin Intensive Surveillance responses. See 4:180-AP2, <i>Pandemic Influenza Surveillance and Reporting</i> .
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Continued Expansion of the Outbreak

Actor	Action
Local Health Department	Evaluate the need for school closure with local school officials.
Superintendent or designee	In consultation with local health department, emergency management agencies, and Regional Office of Education, close school(s). Issue press release. A sample, titled Schools Closed , is at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_media_closed.pdf . Issue Sample Parent Letter #4, School Closure . A sample is at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_closures.pdf .
School Board and/or Superintendent	Cancel any non-academic events.

Following the Outbreak

Actor	Action
Local Health Department	Evaluate the advisability of opening school(s) with school officials.
Superintendent or designee	Issue press release that schools are open. Issue Sample Parent Letter #5, Schools Reopen . A sample is at: www.idph.state.il.us/pandemic_flu/school_guide/sppg_reopening.pdf .
Pandemic Planning Team	Continue communicating with local health department.
Superintendent or designee	Return to Heightened Surveillance response. See 4:180-AP2, <i>Pandemic Influenza Surveillance and Reporting</i> . Begin checklist again if an outbreak recurs.

Local Health Department:

Regional Office of Education:

Name

Name

Address

Address

Telephone

Telephone

Emergency Management Agencies:

Name	Name
Address	Address
Telephone	Telephone

Important Resources

The Illinois State Board of Education and Department of Public Health released a publication titled **School Guidance During an Influenza Pandemic**, December 2006 at:

www.idph.state.il.us/pandemic_flu/schoolguide.htm.

The resource is meant to guide and supplement, not replace school districts' existing plans.

Further information on pandemic influenza can be found by calling 1-800-CDC-INFO or at the following websites:

www.pandemicflu.gov

www.cdc.gov/flu

www.redcross.org

www.cchealth.org

General Personnel

Equal Employment Opportunity and Minority Recruitment

The School District shall provide equal employment opportunities to all persons regardless of their race, color, religion, creed, national origin, sex, sexual orientation, age, ancestry, marital status, arrest record, military status or unfavorable military discharge, citizenship status provided the individual is authorized to work in the United States, use of lawful products while not at work, being a victim of domestic or sexual violence, physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation, and other legally protected categories. No one will be penalized solely for his or her status as a registered qualifying patient or a registered designated caregiver for purposes of the Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/.

Persons who believe they have not received equal employment opportunities should report their claims to the Nondiscrimination Coordinator and/or a Complaint Manager for the Uniform Grievance Policy. These individuals are listed below. No employee or applicant will be discriminated against because he or she initiated a complaint, was a witness, supplied information, or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws, provided the employee or applicant did not make a knowingly false accusation nor provide knowingly false information.

Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator for personnel who shall be responsible for coordinating the District's nondiscrimination efforts. The Nondiscrimination Coordinator may be the Superintendent or a Complaint Manager for the Uniform Grievance Procedure. The Superintendent shall insert into this policy the name, addresses, and telephone number of the District's current Nondiscrimination Coordinator and Complaint Managers.

Nondiscrimination Coordinator:

Name _____

Address _____

Telephone No. _____

Complaint Managers:

_____	_____
Name	Name
_____	_____
Address	Address
_____	_____
_____	_____
Telephone	Telephone

The Superintendent shall also use reasonable measures to inform staff members and applicants that the District is an equal opportunity employer, such as by posting required notices and including this policy in the appropriate handbooks.

Minority Recruitment

The District will attempt to recruit and hire minority employees. The implementation of this policy may include advertising openings in minority publications, participating in minority job fairs, and recruiting at colleges and universities with significant minority enrollments. This policy, however, does not require or permit the District to give preferential treatment or special rights based on a protected status without evidence of past discrimination.

- LEGAL REF.:
- Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq.
 - Americans With Disabilities Act, Title I, 42 U.S.C. § 12111 et seq.
 - Civil Rights Act of 1991, 29 U.S.C. §§621 et seq., 42 U.S.C. §1981 et seq., §2000e et seq., and §12101 et seq.
 - Equal Employment Opportunities Act (Title VII of the Civil Rights Act of 1964), 42 U.S.C. §2000e et seq., 29 C.F.R. Part 1601.
 - Equal Pay Act, 29 U.S.C. § 206(d).
 - Immigration Reform and Control Act, 8 U.S.C. § 1324a et seq.
 - Rehabilitation Act of 1973, 29 U.S.C. § 791 et seq.
 - Title VI of Civil Rights Act, 42 U.S.C. § 2000e et seq., 29 C.F.R. Part 1601.
 - Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/40.
 - Title IX of the Education Amendments, 20 U.S.C. § 1681 et seq., 34
 - Uniformed Services Employment and Reemployment Rights Act (1994), 38 U.S.C. §§4301 et seq.
 - Ill. Constitution, Art. 1, §§ 17, 18, and 19.
 - Equal Pay Act of 2003, P.A. 93-0006.
 - Religious Freedom Restoration Act, 775 ILCS 35/5.

Victims' Economic Security and Safety Act, P.A. 93-591.
105 ILCS 5/10-20.7, 5/10-20.7a, 5/10-21.1, 5/10-22.4, 5/10-23.5,
5/22-19, 5/24-4, 5/24-4.1, and 5/24-7.
775 ILCS 5/1-103 and 5/2-102.
Ill. Equal Pay Act of 2003, 820 ILCS 112/1 et seq.
23 Ill. Admin. Code § 1.230.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:20 (Sexual Harassment),
5:30 (Hiring Process and Criteria, 5:40 (Communicable and Chronic
Infectious Disease), 5:50 (Drug- and Alcohol-Free Workplace;
Tobacco Prohibition), 5:70 (Religious Holidays), 5:180 (Temporary
Illness or Temporary Incapacity), 5:250 (Leaves of Absence), 5:270
(Employment, At-Will, Compensation, and Assignment), 5:330 (Sick
Days, Vacation, Holidays, and Leaves), 7:10 (Equal Educational
Opportunities), 7:180 (Preventing Bullying, Intimidation, and
Harassment), 8:70 (Accommodating Individuals with Disabilities)

General Personnel

Administrative Procedure - Workplace Accommodations for Nursing Mothers ¹

The School District accommodates mothers who choose to continue breastfeeding after returning to work. An employee who is a nursing mother may take reasonable unpaid breaks each day to express breast milk or breastfeed her infant. The employee's supervisor shall help the employee arrange a break schedule accommodating the nursing mother while minimizing disruption. The break time must, if possible, run concurrently with any break time already provided to the employee. ²

Each Building Principal or chief administrator in another District building shall identify a private room or space where, if a request is made, an employee may express milk or breastfeed her infant. The private space should: (1) be in close proximity to the work area and be other than a toilet stall, ³ and (2) include an electrical outlet for the use of an electric breast pump.

Supervisors should consider ways to accommodate an employee's needs with minimal disruption of the school environment. If possible, supervisors will ensure that employees are aware of these workplace accommodations prior to maternity leave.

LEGAL REF.: Right to Breastfeed Act, 740 ILCS 137/1 et seq.
Nursing Mothers in the Workplace Act, 820 ILCS 260/1 et seq.

CROSS REF.: 5:200 (Terms and Conditions of Employment and Dismissal), 5:300 (Schedules and Employment Year)

¹ Two laws control this procedure's content – the Right to Breastfeed Act, 740 ILCS 137/1 et seq. and the Nursing Mothers in the Workplace Act, 820 ILCS 260/1 et seq.

The Right to Breastfeed Act provides that a "mother may breastfeed her baby in any location, public or private, where the mother is otherwise authorized to be, irrespective of whether the nipple of the mother's breast is uncovered during or incidental to the breastfeeding," (740 ILCS 137/1 et seq.). The Act allows a woman who was denied the right to breastfeed in a public or private location, other than a private residence or place of worship, to bring an action to enjoin future denials and, if she prevails, is awarded reasonable attorney's fees and litigation expenses.

² Specified in 820 ILCS 260/10.

³ 820 ILCS 260/15 requires employers to make reasonable efforts to provide a location, in close proximity to the work area, other than a toilet stall, where an employee can express her milk in privacy. Additional accommodations may be considered, e.g., providing a location other than a ladies' restroom and making refrigeration available.

General Personnel

Workplace Harassment Prohibited

The School District expects the workplace environment to be productive, respectful, and free of unlawful harassment. District employees shall not engage in harassment or abusive conduct on the basis of an individual's race, religion, national origin, sex, sexual orientation, age, citizenship status, disability, or other protected status identified in Board policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. Harassment of students, including, but not limited to, sexual harassment, is prohibited by Board policy 7:20, *Harassment of Students Prohibited*.

Sexual Harassment Prohibited

The School District shall provide employees an employment environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, or communications constituting sexual harassment as defined and otherwise prohibited by State and federal law.

District employees shall not make unwelcome sexual advances or request sexual favors or engage in any unwelcome conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment prohibited by this policy includes verbal or physical conduct. The terms intimidating, hostile, or offensive include, but are not limited to, conduct which has the effect of humiliation, embarrassment or discomfort. Sexual harassment will be evaluated in light of all the circumstances.

Making a Complaint; Enforcement

A violation of this policy may result in discipline, up to and including discharge. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action, up to and including discharge. An employee's employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation against employees for bringing bona fide complaints or providing information about harassment is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*).

Aggrieved persons, who feel comfortable doing so, should directly inform the person engaging in sexually harassing conduct or communication that such conduct or communication is offensive and must stop.

Employees should report claims of sexual harassment to the Nondiscrimination Coordinator and/or use the Board policy 2:260, *Uniform Grievance Procedure*. Employees may choose to report to a person of the employee's same sex. There are no express time limits for initiating complaints and grievances under this policy; however, every effort should be made

to file such complaints as soon as possible, while facts are known and potential witnesses are available.

Whom to Contact with a Report or Complaint

The Superintendent shall insert into this policy the names, addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers.

Nondiscrimination Coordinator:

Name _____

Address _____

Telephone No. _____

Complaint Managers:

Name _____

Address _____

Telephone No. _____

The Superintendent shall also use reasonable measures to inform staff members and applicants of this policy, which shall include reprinting this policy in the employee handbook.

- LEGAL REF.:
- Title VII of the Civil Rights Act, 42 U.S.C. §2000e et seq.,; 29 C.F.R. §1604.11.
 - Title IX of the Education Amendments, 20 U.S.C. §1681 et seq.; 34 C.F.R. §1604.11.
 - Ill. Human Rights Act, 775 ILCS 5/2-101(E), 5/2-102(D), 5/5-102, and 5/5-102.2.
 - 56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.
 - Burlington Industries v. Ellerth, 118 S.Ct. 2257 (1998).
 - Crawford v. Metro. Gov't of Nashville & Davidson County, 129 S.Ct. 846 (2009).
 - Faragher v. City of Boca Raton, 118 S.Ct. 2275 (1998).
 - Franklin v. Gwinnett Co. Public Schools, 112 S.Ct. 1028 (1992).
 - Harris v. Forklift Systems, 114 S.Ct. 367 (1993).
 - Jackson v. Birmingham Board of Education, 125 S.Ct. 1497 (2005).
 - Meritor Savings Bank v. Vinson, 106 S.Ct. 2399 (1986).
 - Oncale v. Sundown Offshore Services, 118 S.Ct. 998 (1998).
 - Porter v. Erie Foods International, Inc., 576 F.3d 629 (7th Cir. 2009).
 - Sangamon County Sheriff's Dept. v. Ill.Human Rights Com'n, 908 N.E.2d 39 (Ill., 2009).

Vance v. Ball State University, 133 S. Ct. 2434 (2013).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 7:20 (Harassment of Students Prohibited)

General Personnel

Administrative Resource - Sample Questions for Conducting the Internal Sexual Harassment in the Workplace Investigation

Introduction

The person charged with conducting the internal sexual harassment investigation for a School District must ascertain whether the sexual conduct is unwelcome and whether it affects a term or condition of employment. 29 C.F.R. § 1604.11(a). The questions that follow are designed to help the investigator uncover the evidence relevant to these inquiries. They are not all-inclusive and the exact questions must be designed for the specific allegations in each case.

I. Is The Conduct Complained Of Unwelcome Sexual Conduct?

"Unwelcome sexual conduct" is that verbal or physical sexual conduct which the employee did not solicit or incite and that which the employee regarded as undesirable or offensive. Hensen v. City of Dundee, 682 F.2d 897 (11th Cir. 1982). It is difficult to discern because the line between welcome and unwelcome sexual conduct is often quite fuzzy. The EEOC evaluates the issue of welcomeness in sexual harassment cases on a case-by-case basis. It looks at the record as a whole, considering the totality of the circumstances. The wise investigator will do the same.

Below are sample questions that can be used to formulate actual questions for this part of the investigation.

1. Who is the alleged sexual harasser? What is his/her name? Is he/she a co-worker or a supervisor?
2. Is the sexual conduct complained of verbal or physical?
3. If physical, describe with specificity the nature of the physical conduct, including where the complainant was touched, when, how often, how he/she was approached, who witnessed the physical conduct, and where was the complainant when the conduct took place?
4. Was medical treatment required? If so, when was he/she treated, how often, by whom, where was he/she treated, and what was the diagnosis?
5. If medical treatment was not required, was a contemporaneous complaint or protest made to anyone employed by the District or to anyone else? If so, to whom did he/she complain, when was the complaint made, what was stated therein and were there any witnesses to this or these complaints?
6. If the unwelcome conduct was verbal, what was stated, when, how often, where were the parties when the statements were made, and who witnessed the statements being made?

7. Was medical treatment required to address the impact of the verbal conduct? If so, when was he/she treated, how often, by whom, where was he/she treated, and what was the diagnosis?
8. If medical treatment was not required to address the impact of the verbal conduct, was a contemporaneous complaint or protest made to anyone employed by the employer or to anyone else? If so, to whom did he/she complain, when was the complaint made, what was stated therein and were there any witnesses to this or these complaints?
9. What was the complainant's response to the physical or verbal conduct? Did he/she tell him/her to stop? Did he/she complain to others about his/her behavior? Did he/she ask co-workers, supervisors or managers to make the harassment stop? If so, obtain all relevant details.
10. Did the complainant engage in any conduct with the alleged harasser that could have encouraged his/her behavior? If so, what was the conduct, when and where did it occur, how often and who witnessed it?
11. Did the complainant and the alleged harasser have a prior consensual relationship? If so, how long did it last and when did that relationship end?
12. Did the complainant make the alleged harasser aware at the point when the sexual advances became unwelcome? If so, when, how was this done, what was communicated to the alleged harasser, and were there any witnesses?
13. Did the complainant complain about the harassment to the alleged harasser, his/her supervisors, other managers or others? If so, when were the complaints made, what was said, who was present, and what was the response to each complaint?
14. If no complaints about the alleged harassment were made, why not?
15. What other actions, if any, did the complainant take to indicate to the alleged harasser that his/her conduct was unwelcome?
16. Did the complainant engage in any conduct which elicited the unwelcome conduct of the alleged harasser? For example, how did he/she demean him or herself in the workplace, how did he/she dress, did he/she use sexual and provocative language, did he/she engage in sexually provocative conduct, and was this conduct directed towards the alleged harasser?
17. If they lack knowledge about the harassment, did co-workers, supervisors or managers notice any changes in charging party's behavior at work or in the alleged harasser's treatment of the charging party?
18. Has the alleged harasser been accused of sexual harassment by other employees? If so, when, and were the allegations investigated? If so, what was the result of the investigation, and what was management's response, i.e., what remedy was imposed?

II. Did The Work Environment Become Hostile?

To ascertain whether unwelcome sexual conduct rises to the level of a "hostile environment" in violation of Title VII, the major inquiry is whether the conduct "unreasonably interferes with an individual's performance" or creates "an intimidating, hostile, or offensive working environment." 29 C.F.R. § 1601.11(a)3. Thus, trivial or annoying conduct such as sexual flirtation or innuendo or vulgar language would probably not establish a hostile environment. The challenged conduct must substantially affect the work environment of a reasonable person for a violation to be found. [Harris v. Forklift Systems, 114 S.Ct. 367 (1993).] Zabkowicz v. West Bend Co., 589 F.Supp. 780, 784 (E.D. Wisc. 1984).

Consider the following additional questions for this part of the inquiry:

1. What effect, if any, did the alleged harassment have upon the complainant's ability to perform his/her job?
2. What effect, if any, did the alleged harassment have upon the complainant's mental or physical health or well-being?
3. What was the sexual character of the work environment before the complainant entered the environment? Were sexual comments and actions common? If so, what types, when did they occur? Who was involved? Were supervisors involved or just co-workers?
4. Did the character of the workplace change after complainant joined the workplace? If so, how? What was complainant's behavior? How did the accused and other co-workers or supervisors respond to complainant's behavior?
5. Was the complaint of verbal or physical behavior directed at persons other than complainant? If so, who were they? What conduct was directed towards them, when, how frequently, who was present, where did it occur and who witnessed it? How did these persons react to the physical or verbal conduct?
6. Did the alleged harasser single out the charging party? If so, how, when, where, and why?
7. Did others join in perpetrating the harassment? If so, who? What was done; when, where, who witnessed the conduct, and were others harassed too?
8. If the complaint of conduct was verbal, what were the remarks? Were they hostile and derogatory? What was the frequency and context of the comments? Were the parties in or out of the workplace when the comments were made?
9. Was the alleged harassment observed by supervisors, managers, or other co-workers? If so, by whom, when, where, and what was observed?
10. Was the alleged harassment observed by former employees or others outside the workplace? If so, by whom, when, where, and what was seen?

III. Was The Harassment *Quid Pro Quo*?

In order to properly ascertain the employer's liability for sexual harassment, it is important to distinguish between hostile environment cases and those involving *quid pro*

quo harassment. An employer will always be held responsible for acts of *quid pro quo* harassment since this conduct occurs in situations in which a supervisor is exercising authority over terms and conditions of employment granted to him/her by his/her employer. Liability will be assessed for *quid pro quo* sexual harassment unless the employer took definite and prompt action to stop the harassment.

In hostile environment cases, on the other hand, employers are liable where they knew or should have known of the alleged misconduct.

To further ferret out any *quid pro quo* harassment and the employer's response to it, include questions such as the following:

1. What sexual conduct is the supervisor accused of? When, where, how often did it occur, and who observed?
2. Was the supervisor asked by the complainant to stop? If so, when, where, how often, and who observed?
3. If a complaint of the alleged harassment by the supervisor was made to another supervisor or managerial employee, what acts, if any, did he or she take to stop the on-going harassment?
4. If no complaint was made, did the complainant's behavior change in any way that would have put management on notice that he/she was being sexually harassed?
5. If no complaint was made, did the complainant's co-workers engage in any conduct that would have put management on notice that he/she was being sexually harassed?
6. How was the complainant's employment affected by the alleged supervisor's harassment? Was he/she denied a salary increase, a promotion, a job transfer, etc.? If so, when?
7. Was the complainant treated differently from similarly situated employees in regard to the denied salary increase, promotion, job transfer, etc.? If so, who was treated differently by this same supervisor?
8. Were the supervisor's sexual attentions to other employees different from those directed to the complainant? If so, how? Who witnessed these differences?
9. Was anything done by management to stop the supervisor's misconduct? If so, what, when, and was this communicated to the victim?
10. Did the alleged misconduct occur on or off the employee's premises? Were there any witnesses? If so, who and what was observed?

General Personnel

Hiring Process and Criteria

The District hires the most qualified personnel consistent with budget and staffing requirements and in compliance with School Board policy on equal employment opportunity and minority recruitment. The Superintendent is responsible for recruiting personnel and making hiring recommendations to the Board. If the Superintendent's recommendation is rejected, the Superintendent must submit another. No individual will be employed who has been convicted of a criminal offense listed in Section 5/21B-80(c) of The School Code.

All applicants must complete a District application form in order to be considered for employment.

Job Descriptions

The Superintendent shall develop and maintain a current, comprehensive job description for each position or job category; however, a provision in a collective bargaining agreement or individual contract will control in the event of a conflict.

Investigations

The Superintendent or designee shall ensure that a fingerprint-based criminal history records check and a check of the Statewide Sex Offender Database and Violent Offender Against Youth Database is performed on each applicant as required by State law. The Superintendent or designee shall notify an applicant if the applicant is identified in either database. The School Code requires the Board President to keep a conviction record confidential and share it only with the Superintendent, Regional Superintendent, State Superintendent, State Educator Preparation and Licensure Board, any other person necessary to the hiring decision, or for purposes of clarifying the information, the Department of State Police and/or Statewide Sex Offender Database.

Each newly hired employee must complete an Immigration and Naturalization Service Form as required by federal law.

The District retains the right to discharge any employee whose criminal background investigation reveals a conviction for committing or attempting to commit any of the offenses outlined in Section 5/21B-80 of The School Code or who falsifies, or omits facts from, his or her employment application or other employment documents.

The Superintendent shall ensure that the District does not engage in any investigation or inquiry prohibited by law and complies with each of the following:

1. The District uses an applicant's credit history or report from a consumer reporting agency only when a satisfactory credit history is an established bona fide occupational requirement of a particular position.
2. The District does not ask an applicant or applicant's previous employers about claim(s) made or benefit(s) received under the Workers' Compensation Act.
3. The District does not request of an applicant or employee access in any manner to his or her social networking website, including a request for passwords to such sites.

4. The District provides equal employment opportunities to all persons. See policy 5:10, *Equal Employment Opportunity and Minority Recruitment*.

Physical Examinations

Each new employee must furnish evidence of physical fitness to perform assigned duties and freedom from communicable disease. The physical fitness examination must be performed by a physician licensed in Illinois, or any other state, to practice medicine and surgery in any of its branches, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations. The employee must have the physical examination no more than 90 days before submitting evidence of it to the District.

Any employee may be required to have an additional examination by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations, if the examination is job-related and consistent with business necessity. The School Board will pay the expenses of any such examination.

Orientation Program

The District's staff will provide an orientation program for new employees to acquaint them with the District's policies and procedures, the school's rules and regulations, and the responsibilities of their position. Before beginning employment, each employee must sign the *Acknowledgement of Mandated Reporter Status* form as provide in policy 5:90, *Abused and Neglected Child Reporting*.

LEGAL REF.: 105 ILCS 5/10-21.9 and 5/24-5.
Employee Credit Privacy Act, 820 ILCS 70/.
Right to Privacy in the Workplace Act, 820 ILCS 55/.
Americans With Disabilities Act, 42 U.S.C. § 12112, 29 C.F.R. Part 1630.
Immigration Reform and Control Act, 8 U.S.C. § 1324a et seq.
105 ILCS 5/10-16.7, 5/10-20.7, 5/10-21.4, 5/10-21.9, 5/21B-80, , 5/10-22.34, 5/10-22.34b, 5/22-6.5, and 5/24-1 et seq.
820 ILCS 55/ and 70/.
Duldulao v. St. Mary of Nazareth Hospital, 483 N.E.2d 956 (Ill.App.1,1985), *aff'd in part and remanded* 505 N.E.2d 314 (Ill. 1987).
Kaiser v. Dixon, 468 N.E.2d 822 (Ill.App.2, 1984).
Molitor v. Chicago Title & Trust Co., 59 N.E.2d 695 (Ill.App.1, 1945).

CROSS REF.: 3:50 (Administrative Personnel Other Than the Superintendent), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:40 (Communicable and Chronic Infectious Disease), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:280 (Educational Support Personnel - Duties and Qualifications)

General Personnel

Administrative Procedure - Job Interviews

The anti-discrimination laws affect all steps of the employee hiring process. Knowledge of the characteristics on which these laws prohibit inquiry is especially critical when conducting interviews. Sloppy interview practices can result in the appearance of illegal discrimination or even actual discrimination.

Interviewers should avoid seeking information that will not be used to make an employment decision. Assume that a rejected applicant may believe that all information acquired was used. It will be the District's burden to explain that not all information elicited was used – a very difficult burden when the information involves race, sex, religion, age, disability, etc. Information needed for insurance, tax, social security, or similar purposes should be obtained after employment.

Protected Status	Do not ask	Permissible to ask
Race and Color	What race are your parents?	
Alienage, Ancestry, National Origin, Nationality, and Citizen Status	In what country were you born? In what country were your parents born?	Are you legally authorized to work in the United States?
Marital Status	Are you married? Single? Divorced? Engaged? Are you living with someone? Would your spouse move with you if you got this position?	
Sex, Including Parent and Pregnancy Status	What are your future family plans? Are you pregnant? Do you have children? What are their ages? Do you have child care?	
Religion or Creed	What religious holidays do you celebrate?	
Age	When do you plan to retire?	
Unfavorable discharge from military service	Under what circumstances were you discharged from the service?	
Arrest Record	Have you ever been arrested? Spent time in jail?	
Financial Status and	Have you ever filed bankruptcy?	

Protected Status	Do not ask	Permissible to ask
Housing	Do you own your home?	
Use of lawful products during non-working hours	Do you smoke or use tobacco products during non-working hours? Do you consume alcoholic beverages during non-working hours?	
Whether applicant has ever filed a claim or received benefits under the Illinois Workers' Compensation Act or Workers' Occupational Diseases Act	Have you ever filed a claim or received benefits under the Illinois Worker's Compensation Act or Workers' Occupational Disease Act?	

Disability

Inquiries that are likely to elicit information about a disability, before a bona fide job offer is made, are prohibited. Inquiries about the ability to perform job functions that do not ask about disabilities are permissible.

Protected Status	Do not ask	Permissible to ask, provided all applicants are asked
Disability	Do you have AIDS? Do you have asthma? Do you have a disability which would interfere with your ability to perform the job? How many days were you sick last year? Have you ever filed for Workers' Compensation? Have you ever been injured on the job? How much alcohol do you drink each week? Have you ever been treated for alcohol problems? Have you ever been treated for mental health problems? What prescription drugs are you	Can you perform the functions of this job (essential and/or marginal), with or without reasonable accommodation? Please describe/demonstrate how you would perform these functions (essential and/or marginal). Have you ever been disciplined (oral or written reprimand, suspension or termination) for attendance violations or problems? Are you a current user of

	currently taking?	illegal drugs? Do you have the required licenses to perform this job?
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General Personnel

Administrative Procedure - Investigations

Immigration Investigation 1

All newly hired employees must complete an Immigration and Naturalization Service Form I-9 no later than 3 business days following their first working day. If an individual is unable to provide the required documents to complete the Form I-9 within the 3-day period, the individual must present a receipt for the application of the documents within 3 days of the hire and present the required documents within 90 days of the hire.

The completed Form I-9 shall be maintained in a file separate from other personnel records in order to prevent unauthorized review of personnel files. The Form I-9 shall be retained for a period of 3 years after the date of hire or one year after individual employment is terminated, whichever is later.

Criminal History Records Check 2

The following individuals are responsible for the actions listed:

Applicant - Each applicant for employment in any position (except bus driver) must provide a written authorization for a fingerprint-based criminal history records check at the time he or she submits the application.

Applicant for Bus Driver - 3 Each applicant for a bus driver position must complete the application required by the Secretary of State for a school bus driver permit (obtained from the District) and submit it to the District along with the necessary fingerprint submission as required by the Department of State Police to conduct a fingerprint-based criminal history records check. The Superintendent or designee will conduct a pre-employment interview with prospective school bus driver candidates, distribute school bus driver applications and medical forms, and submit the applicant's fingerprint cards to the Department of State Police. The Superintendent or designee will certify in writing to the Secretary of State that all pre-employment conditions have been successfully completed, including the successful completion of a criminal history records check as required by State law. The applicant must present the certification to the Secretary of State at the time of submitting the school bus driver permit application.

Superintendent - 4

1. Fingerprint-Based Criminal History Records Check:

¹ These requirements are from the Immigration Reform and Control Act (8 U.S.C. §1324a, 8 C.F.R. §274a.2).

² These requirements are in 105 ILCS 5/10-21.9. See also the Sex Offender Community Notification Law (730 ILCS 152/101 *et seq.*, as amended by P.A. 94-945); Child Murderer and Violent Offender Against Youth Community Notification Law, 730 ILCS 154/75-105, as added by P.A. 94-945; policy 4:170, *Safety*; and administrative procedure 4:170-AP2, *Criminal Offender Notification Laws*.

³ These requirements are in the State law on school bus driver permits (625 ILCS 5/6-106.1).

⁴ Additional steps to efficiently receive a fingerprint-based criminal history records check should be added.

The Superintendent or designee completes the required forms in order to request a fingerprint-based criminal history records check from an appropriate police or live scan agency.

This may include submitting the applicant's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers to the Department of State Police on forms prescribed by the Department.

The Superintendent or designee will provide the applicant with a copy of the conviction record obtained from the State Police. ⁵

2. Check of the statewide offender databases. The Superintendent or designee performs a check for each applicant of:
 - a. The Statewide Sex Offender Database (a/k/a Sex Offender Registry), www.isp.state.il.us/sor, as authorized by the Sex Offender Community Notification Law (730 ILCS 152/101 et seq., as amended by P.A. 94-945), and
 - b. The Statewide Child Murderer and Violent Offender Against Youth Database, as authorized by the Child Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105, as added by P.A. 94-945).

The Superintendent or designee notifies an applicant if the applicant is identified in the database as a sex offender. ⁶

State Police and FBI - The Department of State Police and FBI furnish records of convictions (until expunged), pursuant to a fingerprint-based criminal history records check, to the School Board President. ⁷

Board President - The Board President keeps a conviction record confidential and shares it only with the Superintendent, Regional Superintendent, State Superintendent of Schools, State Teacher Certification Board, or any other person necessary to the hiring decision. ⁸

Regional Superintendent - Whenever an applicant is seeking employment in more than one District as either a substitute or part-time teacher or educational support personnel employee, the Superintendent or designee may require the applicant to authorize the Regional Superintendent to conduct the check. The Regional Superintendent also performs a check of the Statewide Sex Offender Database, www.isp.state.il.us/sor, as authorized by the Sex Offender Community Notification Law (730 ILCS 152/115 as amended by P.A. 94-948) and Child Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105). ⁹

Contractors - The above requirements for fingerprint-based criminal history records check apply to every employee or agent of any contractor if the employee or agent has direct, daily

⁵ Required by 105 ILCS 5/10-21.9.

⁶ Required by 105 ILCS 5/10-21.9, as amended by P.A. 94-219 and P.A. 94-945.

⁷ The State Police and FBI must "furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, until expunged, to the president of the school board..." (105 ILCS 5/10-21.9(a)).

⁸ Required by 105 ILCS 5/10-21.9(b).

⁹ Supra footnote 6.

contact with students. ¹⁰ See Board policy 4:170, *Safety*, for the responsibilities of contractors.

District - The School District will not knowingly employ a person, nor may a person work on school grounds, who: ¹¹

1. Has been convicted of committing or attempting to commit any one or more of the following offenses:
 - a. Attempted first-degree murder or first-degree murder or any Class X felony.
 - b. Those defined in Sections 11-6, 11-9, 11-14, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15, and 12-16 of the Criminal Code of 1961.
 - c. Those defined in the Cannabis Control Act, 720 ILCS 550/1 et seq., except 720 ILCS 550/4(a), 550/4(b), and 550/5(a).
 - d. Those defined in the Illinois Controlled Substances Act, 720 ILCS 570/100 et seq.
 - e. Any offense committed or attempted in any other state or against the laws of the United States, which if committed or attempted in Illinois, would have been punishable as one or more of the foregoing offenses.
2. Has been found to be the perpetrator of sexual or physical abuse of any minor less than 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987.

Reporting New Hires

The Superintendent or designee shall timely file an IRS Form W-4 or IDES New Hire Reporting Form for each newly hired employee with the Illinois Department of Employment Security. ¹²

¹⁰ The provisions in 105 ILCS 5/10-21.9 apply to contractor's employees who have "direct, daily contact with students." Thus, districts must: (1) seek a fingerprint-based criminal history records check for all such employees, or (2) include a provision in the contract with the contractor that the contractor will obtain the fingerprint-based criminal history records check and submit it to the district. All contracts should require the contractor to purchase insurance to cover misconduct by their employees and/or an indemnification clause. Additionally, a district should check its own insurance coverage to determine whether employees of contractors are covered. See also policy 4:170, *Safety*.

¹¹ 105 ILCS 5/10-21.9.

¹² 820 ILCS 405/1801.1.

General Personnel

Compliance with the Fair Labor Standards Act

Job Classifications

The Superintendent will ensure that all job positions are identified as either “exempt” or “non-exempt” according to State law and the Fair Labor Standards Act (FLSA) and that employees are informed whether they are “exempt” or “non-exempt.” “Exempt” and “non-exempt” employee categories may include certificated and non-certificated job positions. All non-exempt employees, whether paid on a salary or hourly basis, are covered by minimum wage and overtime provisions.

Workweek and Compensation

The workweek for District employees will be 12:00 a.m. Monday until 11:59 p.m. Sunday. Non-exempt employees will be compensated for all hours worked in a workweek including overtime. For non-exempt employees paid a salary, the salary is paid for a 40-hour workweek even if an employee is scheduled for less than 40 hours. “Overtime” is time worked in excess of 40 hours in a single workweek.

Overtime

The School Board discourages overtime work by non-exempt employees. A non-exempt employee shall not work overtime without his or her supervisor’s express approval. All supervisors of non-exempt employees shall: (1) monitor overtime use on a weekly basis and report such use to the business office, (2) seek the Superintendent or designee’s written pre-approval for any long term or repeated use of overtime that can be reasonably anticipated, (3) ensure that overtime provisions of this policy and the FLSA are followed, and (4) ensure that employees are compensated for any overtime worked. Accurate and complete time sheets of actual hours worked during the workweek shall be signed by each employee and submitted to the business office. The business office will review work records of employees on a regular basis, make an assessment of overtime use, and provide the assessment to the Superintendent. In lieu of overtime compensation, non-exempt employees may receive compensatory time-off, according to Board policy 5:310, *Compensatory Time-Off*.

Suspension Without Pay

No exempt employee shall have his or her salary docked, such as by an unpaid suspension, if the deduction would cause a loss of the exempt status. Certificated employees may be suspended without pay in accordance with Board policy 5:240, *Professional Personnel - Suspension*. Non-certificated employees may be suspended without pay in accordance with Board policy 5:290, *Educational Support Personnel - Employment Termination and Suspensions*.

Implementation

The Superintendent or designee shall implement the policy in accordance with the FLSA, including its required notices to employees. In the event of a conflict between the policy and State or federal law, the latter shall control.

LEGAL REF.: 820 ILCS 105/4a.
Fair Labor Standards Act, 29 U.S.C. §201 et seq., 29 C.F.R. Parts 516,
541, 548, 553, 778, and 785.

CROSS REF.: 5:240 (Suspension), 5:290 (Employment Termination and
Suspensions), 5:310 (Compensatory Time-Off)

General Personnel

Communicable and Chronic Infectious Disease

The Superintendent or designee shall develop and implement procedures for managing known or suspected cases of a communicable and chronic infectious disease involving District employees that are consistent with State and federal law, Illinois Department of Public Health rules, and School Board policies.

An employee with a communicable or chronic infectious disease is encouraged to inform the Superintendent immediately and grant consent to being monitored by the District's Communicable and Chronic Infectious Disease Review Team. The Review Team, if used, provides information and recommendations to the Superintendent concerning the employee's conditions of employment and necessary accommodations. The Review Team shall hold the employee's medical condition and records strictest confidence, except to the extent allowed by law.

An employee with a communicable or chronic infectious disease will be permitted to retain his or her position whenever, after reasonable accommodations and without undue hardship, there is no substantial risk of transmission of the disease to others, provided an employee is able to continue to perform the position's essential functions. An employee with a communicable and chronic infectious disease remains subject to the Board's employment policies including sick and/or other leave, physical examinations, temporary and permanent disability, and termination.

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. § 12101 et seq., amended by the Americans with Disabilities Act Amendments Act (ADAAA), Pub. L. 110-325.
Rehabilitation Act of 1973, 29 U.S.C. § 791.
Department of Public Health Act, 20 ILCS 2305/6.
105 ILCS 5/24-5.
Personnel Record Review Act, 820 ILCS 40/.
Control of Communicable Diseases, 77 Ill.Admin.Code Part 690.

CROSS REF.: 2:150 (Committees), 5:30 (Hiring Process and Criteria), 5:180 (Temporary Illness or Temporary Incapacity)

General Personnel

Administrative Procedure - Communicable and Chronic Infectious Disease

The following procedures will be implemented when a District employee has a communicable and/or chronic infectious disease. A copy of the procedures will be given the employee.

Evaluation of the Employee's Condition

1. The employee who has or is suspected of having a communicable and chronic infectious disease is encouraged to inform the Superintendent immediately.
2. The Superintendent will inform the Communicable and Chronic Infectious Disease Review Team within 3 days.
3. The Communicable and Chronic Infectious Disease Review Team will meet within 3 days to:
 - a. Meet with the employee or a member of the employee's family to review the status of the employee's health, and
 - b. Evaluate the employee and submit a written report with recommendations to the Superintendent.
4. The School Board will receive a report, both written and verbal, of the Communicable and Chronic Infectious Disease Review Team's evaluation from the Superintendent.
5. The employee or a member of the employee's family will receive a report, both written and verbal, of the Communicable and Chronic Infectious Disease Review Team's evaluation from the Superintendent.
6. The employee may be required to submit to a physical examination, given by a physician chosen and paid for by the District.

Monitoring Employee's Condition

The employee's health condition will be reviewed on a schedule determined by the Communicable and Chronic Infectious Disease Review Team. The Team's employee status report will be given to the Superintendent.

Each status report will indicate an employment recommendation for the employee, such as:

1. Continued employment at the same position, with possible accommodations,
2. Continued employment but transfer to another position, with possible accommodations,
3. Temporary exclusion from the work place, or
4. Dismissal.

Employee Dismissal

The dismissal of an employee on contractual continued service shall be in accordance with 105 ILCS 5/24-12.

The dismissal of an employee not on contractual continued service shall be in accordance with the law or policy applicable to his or her position.

Confidentiality

The employee's medical condition and records shall be held in strictest confidence and shared only with members of the Communicable and Chronic Infectious Disease Review Team, the employee's direct supervisor, and someone who would need to know in the event of an emergency. Medical records will not become part of the employee's personnel file.

General Personnel

Drug- and Alcohol-Free Workplace; Tobacco Prohibition

All District workplaces are drug- and alcohol-free workplaces. All employees are prohibited from engaging in any of the following activities while on District premises or while performing work for the District:

1. Unlawful manufacture, dispensing, distribution, possession, or use of an illegal or controlled substance.
2. Distribution, consumption, use, possession, or being under the influence of alcohol.
3. Possession of use of medical cannabis.

For purposes of this policy a controlled substance means a substance that is:

1. Not legally obtainable;
2. Being used in a manner different than prescribed;
3. Legally obtainable, but has not been legally obtained; or
4. Referenced in federal or State controlled substance acts.

As a condition of employment, each employee shall:

1. Abide by the terms of the Board policy respecting a drug- and alcohol-free workplace; and
2. Notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the District premises or while performing work for the District, no later than 5 calendar days after such a conviction.

Unless otherwise prohibited by this policy, prescription and over-the-counter medications are not prohibited when taken in standard dosages and/or according to prescriptions from the employee's licensed health care provider, provided that an employee's work performance is not impaired.

To make employees aware of the dangers of drug and alcohol abuse, the Superintendent or designee shall perform each of the following:

1. Provide each employee with a copy of this policy;
2. Post notice of this policy in a place where other information for employees is posted;
3. Make available materials from local, state, and national anti-drug and alcohol-abuse organizations;
4. Enlist the aid of community and State agencies with drug and alcohol informational and rehabilitation programs to provide information to District employees;
5. Establish a drug-free awareness program to inform employees about:
 - a. The dangers of drug abuse in the workplace,

Adopted: April 19, 2004

Updated: April 25, 2011, May 20, 2013, January 27, 2014

- b. Available drug and alcohol counseling, rehabilitation, re-entry, and any employee assistance programs, and
- c. The penalties that the District may impose upon employees for violations of this policy.

Tobacco Prohibition

All employees are covered by the conduct prohibitions contained in policy 8:30, *Visitors to and Conduct on School Property*. The prohibition on the use of tobacco products applies both (1) when an employee is on school property, and (2) while an employee is performing work for the District at a school event regardless of the event's location. *Tobacco* shall have the meaning provided in section 10-20.5b of the School Code.

District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action, including termination. Alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse rehabilitation program.

The Board shall take disciplinary action with respect to an employee convicted of a drug offense in the workplace within 30 days after receiving notice of the conviction.

Should District employees be engaged in the performance of work under a federal contract or grant, or under a State contract or grant of \$5,000 or more, the Superintendent shall notify the appropriate State or federal agency from which the District receives contract or grant monies of the employee's conviction within 10 days after receiving notice of the conviction.

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. § 12114.
Compassionate Use of Medical Cannabis Pilot Program, 410 ILCS 130/.
Controlled Substances Act, 21 U.S.C. § 812; 21 C.F.R. 1308.11 - 1308.15.
Drug-Free Workplace Act of 1988, 41 U.S.C. § 701 et seq.
Safe and Drug-Free School and Communities Act of 1994, 20 U.S.C. § 7101 et seq.
Drug-Free Workplace Act, 30 ILCS 580/.
105 ILCS 5/10-20.5b

General Personnel

Expenses

The Board regulates the reimbursement of all travel, meal, and lodging expenses by resolution. Money shall not be advanced or reimbursed, or purchase orders issued for: (1) the expenses of any person except the employee, (2) anyone's personal expenses, or (3) entertainment expenses. Entertainment includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event. Employees must submit the appropriate itemized, signed, standardized form(s) to support any requests for expense advancements, reimbursements, or purchase orders that show the following:

1. The amount of the estimated or actual expense, with attached receipts for actual incurred expenses.
2. The name and title of the employee who is requesting the expense advancement or reimbursement. Receipts from group functions must include the names, offices, and job titles of all participants.
3. The date(s) of the official business on which the expense advancement, reimbursement, or purchase order will be or was expended.
4. The nature of the official business conducted when the expense advancement, reimbursement, or purchase order will be or was expended.

Advancements

The Superintendent may advance expenses to teachers and other licensed employees for the anticipated actual and necessary expenses to be incurred while attending meetings that are related to their duties and will contribute to their professional development, provided they fall below the maximum allowed in the Board's expense regulations.

Expense advancement requests must be submitted to the Superintendent or designee on the District's standardized estimated expense approval form for employees. After spending expense advancements, employees must use the District's standardized expense reimbursement form and submit to the Superintendent: (a) the itemized, signed advancement voucher that was issued, and (b) the amount of actual expenses by attaching receipts. Any portion of an expense advancement not used must be returned to the District. Expense advancements and vouchers shall be presented to the Board in its regular bill process.

Reimbursements and Purchase Orders

Expense reimbursements and purchase orders may be issued by the Superintendent or designee to employees, along with other expenses necessary for the performance of their duties, provided the expenses fall below the maximum allowed in the Board's expense regulations.

Expense reimbursements and purchase order approvals are not guaranteed and, when possible, employees should seek pre-approval of expenses by providing an estimation of expenses on the District's standardized estimated expense approval form for employees, except in situations when the expense is diminutive. When pre-approval is not sought,

employees must seek reimbursement on the District's standardized expense reimbursement form for employees. Expense reimbursements and purchase orders shall be presented to the Board in its regular bill process.

Use of Credit and Procurement Cards

Credit and procurement card usage is governed by policy 4:55, *Use of Credit and Procurement Cards*.

Exceeding the Maximum Allowable Expense Amount(s)

All requests for expense advancements, reimbursements, and purchase orders exceeding the maximum allowed in the Board's expense regulations may only be approved when:

1. The Board's resolution to regulate expenses allows for such approval;
2. An emergency or other extraordinary circumstance exists; and
3. The request is approved by a roll call vote at an open Board meeting.

Registration

When possible, registration fees will be paid by the District in advance.

Travel

The least expensive method of travel will be used, provided that no hardship will be caused to the employee. Employees will be reimbursed for:

1. Air travel at the coach or economy class commercial airline rate. First class or business class air travel will be reimbursed only if emergency circumstances warrant. The emergency circumstances must be explained on the expense form and Board approval of the additional expense is required. Copies of airline tickets must be attached to the expense form.
2. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets must be attached to the expense form to substantiate amounts.
3. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach airfare. Mileage for use of personal automobiles in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.
4. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense form.
5. Taxis, airport limousines, or other local transportation costs.

Meals

Meals charged to the District should represent mid-fare selections for the hotel/meeting facility or general area. Tips are included with meal charges. Expense forms must explain the meal charges incurred. Alcoholic beverages will not be reimbursed.

Lodging

Employees should request conference rate or mid-fare room accommodations. A single room rate will be reimbursed. Employees should pay personal expenses at checkout. If that is impossible, deductions for the charges should be made on the expense form.

Miscellaneous Expenses

Employees may seek reimbursement for other expenses incurred while attending a meeting sponsored by organizations described herein by fully describing the expenses on the expense form, attaching receipts.

LEGAL REF.: 105 ILCS 5/10-22.32.
Local Government Travel Expense Control Act, 50 ILCS 150/.

CROSS REF.: 2:125 (Board Member Compensation; Expenses), 2:240 (Board Policy Development), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards)

General Personnel

Administrative Procedure - Expenses ¹

Registration

When possible, registration fees will be paid by the District in advance.

Transportation

The least expensive transportation shall be used. Employees will be reimbursed for:

1. Air travel at the coach or single class commercial airline rate. Copies of airline tickets must be attached to the expense voucher.
2. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach air fare. Copies of tickets will be attached to the expense voucher to substantiate amounts.
3. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach air fare. Mileage for personal automobile use in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.
4. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense voucher.
5. Taxis, airport limousines, or other local transportation costs.

Hotel/Motel Charges

Employees should request conference rate or mid-fare room accommodations. A single room rate will be reimbursed. Other expenses incurred by employees will be reimbursed when specifically related to School District business. The expense voucher or hotel bill must explain the types of expenses incurred.

Employees shall pay personal expenses that are charged to hotel room bills at check-out. If this is not possible, deductions for the charges should be made on the expense voucher.

¹ If a local collective bargaining agreement contains a provision on expenses, it will supersede this policy and the board policy should state, "Please refer to the Professional Agreement between the Association and the School Board."

Meal Charges

Meal charges to the School District should represent "mid-fare" selections for the hotel/meeting facility or general area and generally should not exceed \$ ____ per day. ² Tips shall be included with the meal charges. Expense vouchers must explain the meal charges incurred.

Personal Charges

All personal travel costs must be excluded from the expense voucher.

² Alternatively, a board could set a daily limit on meal costs, such as:
Employees will be reimbursed for meal costs and tips up to \$ _____ per day.

General Personnel

Religious Holidays ¹

Supervisors shall grant an employee's request for time off to observe a religious holiday if the employee gives at least 5 days prior notice and the absence does not cause an undue hardship. ²

Employees may use personal leave to make up the absence, provided such time is consistent with the District's operational needs. A per diem deduction may also be requested by the employee.

LEGAL REF.: Religious Freedom Restoration Act, 775 ILCS 35/5.
775 ILCS 5/2-101 and 5/2-102.

¹ This policy is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions which exceed these requirements. When a policy's subject matter is superseded by a bargaining agreement, the board policy can state, "Please refer to the Agreement between the Winthrop Harbor Board of Education and the Lake County Federation of Teachers, Local 504, IFT-AFT/AFL-CIO."

² "Religion" includes "all aspects of religious observance and practice, as well as belief, unless an employer demonstrates that it is unable to reasonably accommodate an employee's or prospective employee's religious observance or practice without undue hardship on the conduct of the employer's business" (775 ILCS 5/2-101(F)). The 5 day prior notice requirement is provided by law but optional for districts (775 ILCS 5/2-102(E)).

General Personnel

Court Duty

The District will pay full salary during the time an employee is on court duty or, pursuant to a subpoena, serves as a witness or has a deposition taken in any school-related matter pending in court. ¹

An employee should give at least 5 days' prior notice of pending court duty to the District. ² Please refer to the Agreement between the Winthrop Harbor Board of Education and the Lake County Federation of Teachers, Local 504, IFT-AFT/AFL-CIO.

LEGAL REF.: 105 ILCS 5/10-20.7.

¹ State law mandates this provision for certificated employees only (105 ILCS 5/10-20.7).

² State law does not provide a deadline and a district cannot refuse to pay full salary to an employee who fails to follow the policy's deadline.

General Personnel

Abused and Neglected Child Reporting

Any District employee who suspects or receives knowledge that a student may be an abused or neglected child or, for a student aged 18 through 21, an abused or neglected individual with a disability, shall immediately: (1) report such a case to the Illinois Department of Children and Family Services on its Child Abuse Hotline 800/25-ABUSE or 217/524-2606, and (2) follow any additional directions given by the Illinois Department of Children and Family Services to complete a report. The employee shall notify the Superintendent or Building Principal that a report has been made. All employees shall sign the *Acknowledgement of Mandated Reporter Status* form provided by the Illinois Department of Child and Family Services (DCFS) and the Superintendent or designee shall ensure that the signed forms are retained.

Any District employee who discovers child pornography on electronic and information technology equipment shall immediately report it to local law enforcement, the National Center for Missing and Exploited Children's Cyber Tipline 800/843-5678, or online at www.cybertipline.com. The Superintendent or Building Principal shall also be promptly notified of the discovery and that a report has been made.

The Superintendent shall execute the requirements in Board policy 5:150, *Personnel Records*, whenever another school district requests a reference concerning an applicant who is or was a District employee and was the subject of a report made by a District employee to DCFS.

The Superintendent shall notify the State Superintendent and the Regional Superintendent in writing when he or she has reasonable cause to believe that a certificate holder was dismissed or resigned from the District as a result of an act that made a child an abused or neglected child. The Superintendent must make the report within 30 days of the dismissal or resignation and mail a copy of the notification to the certificate holder.

The Superintendent or designee shall provide staff development opportunities for school personnel working with students in grades kindergarten through 8, in the detection, reporting, and prevention of child abuse and neglect.

Each individual Board member must, if an allegation is raised to the member during an open or closed Board meeting that a student is an abused child as defined in the Act, direct or cause the Board to direct the Superintendent or other equivalent school administrator to comply with the Act's requirements concerning the reporting of child abuse.

LEGAL REF.: 105 ILCS 5/10-21.9
 20 ILCS 1305/1-1 et seq.
 20 ILCS 2435/.
 325 ILCS 5/1 and 5/4 et seq.

CROSS REF.: 2:20 (Powers and Duties of the School Board), 5:20 (Sexual Harassment), 5:100 (Staff Development Program), 5:150 (Personnel Records) 6:120 (Education of Children with Disabilities), 7:20 (Harassment of Students Prohibited), 7:150 (Agency and Police Interviews)

General Personnel

Staff Development Program

The Superintendent or designee shall implement a staff development program. The goal of such program shall be to update and improve the skills and knowledge of staff members in order to achieve and maintain a high level of job performance and satisfaction. Additionally, the development program for licensed staff members shall be designed to effectuate the District and School Improvement Plans so that student learning objectives meet or exceed goals established by the District and State.

The staff development program shall provide, at minimum, at least once every 2 years, the in-service training of licensed school personnel and administrators on current best practices regarding the identification and treatment of attention deficit disorder and attention deficit hyperactivity disorder, the application of non-aversive behavioral interventions in the school environment, and the use of psychotropic or psychostimulant medication for school-age children.

The staff development program shall provide, at a minimum, once every 2 years, the in-service training of all District staff on educator ethics, teacher-student conduct, and school employee-student conduct.

The Superintendent shall develop protocols for administering youth suicide awareness and prevention education to staff consistent with Board policy 7:290, *Suicide and Depression Awareness and Prevention*.

LEGAL REF.: 105 ILCS 5/2-3.62, 5/2-3.62, 5/10-22.39, 5/22-80(h), 5/10-23.12, 5/24-5, 25/1.15 and 110/3.
 325 ILCS 5/4, Abused and Neglected Child Reporting Act.
 745 ILCS 49/, (Good Samaritan Act).
 7 C.F.R. Part 210
 23 Ill.Admin Code Part 525

- CROSS REF.: 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 4:160 (Environmental Quality of Buildings and Grounds), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Ethics and Conduct), 5:250 (Leaves of Absence), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:270 (Administering Medicines to Students), 7:285 (Food Allergy Management Program), 7:305 (Student Athlete Concussions and Head Injuries)
- ADMIN PROC.: 4:160-AP (Environmental Quality of Buildings and Grounds), 4:170-AP6 (Plan for Responding to a Medical Emergency at an Indoor Physical Fitness Facility), 5:100-AP (Staff Development Program), 5:150-AP (Personnel Records), 6:120-AP4 (Care of Students with Diabetes), 7:250-AP1 (Measures to Control the Spread of Head Lice at School)

General Personnel

Administrative Procedure - Staff Development Program ¹

All District-sponsored staff development programs, including in-services, shall be approved by the Superintendent. Staff development opportunities exist through the following:

- A. Planned in-service programs, courses, seminars, and workshops are offered within the District.

Every staff member is encouraged to suggest topics, formats, and speakers for in-service meetings. Suggestions should be given to the Superintendent or any member of the advisory committee if one exists.

- B. Visits to other classrooms and schools, as well as attendance at conferences, workshops, and other meetings may be requested.

With the Superintendent's approval, staff members may be released with full pay to:

- Attend professional conventions and meetings, visit exemplary programs, as well as participate in other professional growth activities. At the time of approval, the Superintendent will indicate which expenses, if any, will be reimbursed by the District. After participation, a written report must be submitted to the Superintendent summarizing the activity's highlights.
 - Serve as speakers, consultants, or resource persons outside the District. The staff member accepting such assignments may not accept any fee or honorarium other than a reasonable fee for preparation done outside of the working day. The employee or the institution receiving the services is responsible for travel, lodging, meal expenses, and for substitute costs if any are incurred.
 - Attend training and staff development programs sponsored by an Educational Service Center (105 ILCS 5/2-3.62), the Illinois State Board of Education, a Regional Office of Education, the Illinois Association of School Boards, or any other professionally-sponsored education program. At the time of approval, the Superintendent will indicate which expenses, if any, will be reimbursed by the District. After participation, a written report must be submitted to the Superintendent summarizing the activity's highlights.
- C. Leaves of absence for advanced training and internships are governed by School Board policy and/or collective bargaining agreements, if any.
- D. The topics to be covered on days declared as Teacher Institutes (TI) must be approved by the Regional Superintendent of Schools governing the schools of that region. The

¹ This administrative procedure is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions that differ from this procedure. When a procedure's subject matter is superseded by a bargaining agreement, the procedure can state, "Please refer to the Professional Agreement between the Classroom Teachers' Association and the School Board."

Boards may set and enforce professional growth requirements (105 ILCS 5/24-5). Failure to meet professional growth requirements is considered remediable. (Morris v. ISBE, 555 N.E.2d 725 (Ill.App.3, 1990).

request for approval should be submitted to the Regional Superintendent at least 30 days prior to the event.

- E. Many opportunities for on-going professional development opportunities exist. Staff members are encouraged to discuss their plans for identifying and optimizing these opportunities with their supervisors.

LEGAL REF.: 105 ILCS 5/2-3.48, 5/2-3.53, 5/2-3.56, 5/2-3.59, 5/2-3.60, 5/3-11, 5/3-14.8,
5/10-20.35, 5/10-22.39, and 5/10-23.12.
23 Ill.Admin.Code §226.800, 525.110.
77 Ill.Admin.Code §527.800.

General Personnel

Employee Ethics; Conduct; and Conflict of Interest

Professional and Appropriate Conduct

All District employees are expected to maintain high standards in their school relationships, to demonstrate integrity and honesty, to be considerate and cooperative, and to maintain professional and appropriate relationships with students, parents, staff members, and others. In addition, the *Code of Ethics for Illinois Educators*, adopted by the Illinois State Board of Education, is incorporated by reference into this policy. Any employee who sexually harasses a student or otherwise violates an employee conduct standard will be subject to discipline up to and including dismissal.

Statement of Economic Interests

The following employees must file a "Statement of Economic Interests" as required by the Illinois Governmental Ethics Act:

1. Superintendent,
2. Building Principal,
3. Head of any department,
4. Any employee who, as the district's agent, is responsible for negotiating one or more contracts including collective bargaining agreement(s), in the amount of \$1,000 or greater,
5. Hearing officer,
6. Any employee having supervisory authority for 20 or more employees, and
7. Any employee in a position that requires an administrative or a chief school business official endorsement.

Ethics and Gift Ban

School Board policy 2:105, *Ethics and Gift Ban*, applies to all District employees. Students shall not be used in any manner for promoting a political candidate or issue.

Prohibited Interests; Conflict of Interest; and Limitation of Authority In accordance with Section 22-5 of the School Code, "no school officer or teacher shall be interested in the sale, proceeds, or profits of any book, apparatus, or furniture used or to be used in any school with which such officer or teacher may be connected," except when the employee is the author or developer of instructional materials listed with the Illinois State Board of Education and adopted for use by the Board. An employee having an interest in instructional materials must file an annual statement with the Board Secretary.

For the purpose of acquiring profit or personal gain, no employee shall act as an agent of the District nor shall an employee act as an agent of any business in any transaction with the

District. This includes participation in the selection, award or administration of a contract supported by a federal award when the employee has a real or apparent conflict of interest as defined by 2 C.F.R. §200.318(c)(1). Employees shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to agreements or contracts. Situations in which the interest is not substantial or the gift is an unsolicited item of nominal value must comply with State law and Board policy 2:105, *Ethics and Gift Ban*.

Outside Employment

Employees shall not engage in any other employment or in any private business during regular working hours or at such other times as are necessary to fulfill appropriate assigned duties.

Incorporated
by reference:

5:120-E (Exhibit – Code of Ethics for Illinois Educators)

LEGAL REF.:

U.S. Constitution, First Amendment.

2 C.F.R. §200.318(c)(1).

5 ILCS 420/4A-101 and 430/.

50 ILCS 135/.

105 ILCS 5/10-22.39, and 5/22-5.

775 ILCS 5/5A-102.

23 Ill.Admin.Code Part 22, Code of Ethics for Illinois Educators.

Pickering v. Board of Township H.S. Dist. 205, 391 U.S. 563 (1968).

Garcetti v. Ceballos, 547 U.S. 410 (2006).

CROSS REF.:

2:105 (Ethics and Gift Ban), 4:60 (Purchases and Contracts), 5:100 (Staff Development Program)

General Personnel

Personal Technology and Social Media; Usage and Conduct

Definitions

Includes - Means “includes without limitation” or “includes, but is not limited to.”

Social media - Media for social interaction, using highly accessible communication techniques through the use of web-based and mobile technologies to turn communication into interactive dialogue. This includes *Facebook, LinkedIn, Twitter, Instagram, Snapchat and YouTube*.

Personal technology - Any device that is not owned or leased by the District or otherwise authorized for District use and: (1) transmits sounds, images, text, messages, videos, or electronic information, (2) electronically records, plays, or stores information, or (3) accesses the Internet, or private communication or information networks. This includes laptop computers (e.g., laptops, ultrabooks, chromebooks), tablets, (e.g., iPads®, Kindle®, Microsoft Surface®, and other Android® platform or Windows® devices), smartphones (iPhone®, BlackBerry®, Android®, , platform phones, and Windows® Phone), and other devices (e.g. iPod®)

Usage and Conduct

All District employees who use personal technology and social media shall:

1. Adhere to the high standards for appropriate school relationships required by policy 5:120, *Ethics and Conduct* at all times, regardless of the ever-changing social media and personal technology platforms available. This includes District employees posting images or private information about themselves or others in a manner readily accessible to students and other employees that is inappropriate as defined by policy 5:20, *Workplace Harassment Prohibited*; 5:100, *Staff Development Program*; 5:120, *Ethics and Conduct*; 6:235, *Access to Electronic Networks*; 7:20, *Harassment of Students Prohibited*; and the Ill. Code of Educator Ethics, 23 Ill.Admin.Code §22.20.
2. Choose a District-provided or supported method whenever possible to communicate with students and their parents/guardians.
3. Not interfere with or disrupt the educational or working environment, or the delivery of education or educational support services.
4. Comply with policy 5:130, *Responsibilities Concerning Internal Information*. This means that personal technology and social media may not be used to share, publish, or transmit information about or images of students and/or District employees without proper approval. For District employees, proper approval may include implied consent under the circumstances.
5. Refrain from using the District's logos without permission and follow Board policy 5:170, *Copyright*, and all District copyright compliance procedures.
6. Use personal technology and social media for personal purposes only during non-work times or hours. Any duty-free use must occur during times and places that the use will not interfere with job duties or otherwise be disruptive to the school environment or its operation.

7. Assume all risks associated with the use of personal technology and social media at school or school-sponsored activities, including students' viewing of inappropriate Internet materials through the District employee's personal technology or social media. The Board expressly disclaims any responsibility for imposing content filters, blocking lists, or monitoring of its employees' personal technology and social media.
8. Be subject to remedial and any other appropriate disciplinary action for violations of this policy ranging from prohibiting the employee from possessing or using any personal technology or social media at school to dismissal and/or indemnification of the District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any violation of this policy.

The Superintendent shall:

1. Inform District employees about this policy during the in-service on educator ethics, teacher-student conduct, and school employee-student conduct required by Board policy 5:120, *Ethics and Conduct*.
2. Direct Building Principals to annually:
 - a. Provide their building staff with a copy of this policy.
 - b. Inform their building staff about the importance of maintaining high standards in their school relationships.
 - c. Remind their building staff that those who violate this policy will be subject to remedial and any other appropriate disciplinary action up to and including dismissal.
3. Build awareness of this policy with students, parents, and the community.
4. Ensure that no one for the District, or on its behalf, requests of an employee or applicant access in any manner to his or her social networking website or requests passwords to such sites.
5. Periodically review this policy and any procedures with District employee representatives and electronic network system administrator(s) and present proposed changes to the Board.

- LEGAL REF.: 105 ILCS 5/21B-75 and 5/21B-80.
Ill. Human Rights Act, 775 ILCS 5/5A-102.
Code of Ethics for Ill. Educators, 23 Ill.Admin.Code §22.20.
Garcetti v. Ceballos, 547 U.S. 410 (2006).
Pickering v. High School Dist. 205, 391 U.S. 563 (1968).
Mayer v. Monroe County Community School Corp., 474 F.3d 477 (7th Cir. 2007).
- CROSS REF.: 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Ethics and Conduct), 5:130 (Responsibilities Concerning Internal Information), 5:150 (Personnel Records), 5:170 (Copyright), 5:200 (Terms and Conditions of Employment and Dismissal), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:340 (Student Records)

General Personnel

Responsibilities Concerning Internal Information

District employees are responsible for maintaining: (1) the integrity and security of all internal information, and (2) the privacy of confidential records, including but not limited to: student school records, personnel records, and the minutes of, and material disclosed in, a closed School Board meeting. Internal information is any information, oral or recorded in electronic or paper format, maintained by the District or used by the District or its employees. The Superintendent or designee shall manage procedures for safeguarding the integrity, security, and, as appropriate, confidentiality of internal information.

LEGAL REF.: Family Educational and Privacy Rights Act, 20 U.S.C. §1232g.
Uses and Disclosures of Protected Health Information; General Rules, 45
C.F.R. §164.502.
Ill. Freedom of Information Act, 5 ILCS 140/
Local Records Act, 50 ILCS 205/
105 ILCS 10/
Personnel Record Review Act, 820 ILCS 40/.

CROSS REF.: 2:140 (Communications To and From the Board), 2:250 (Access to
District Public Records), 5:150 (Personnel Records), 7:340 (Student
Records)

General Personnel

Dress Code

Staff members must minimally comply with the standards of student dress specified in the handbook. Staff attire should be consistent with a “business casual” appearance. Business casual does not include blue jeans, sweatpants, sweatshirts, t-shirts, athletic wear, or athletic shoes (sport footwear that is not a solid color).

Variations from the business casual attire standard may be scheduled on a regular or special event basis at the discretion of the administration. For example, on spirit wear days and pay day Fridays, blue jeans and athletic shoes are allowed provided these articles of clothing are used to complete a “school colors” ensemble.

General Personnel

Personnel Records

The Superintendent or designee shall manage the maintenance of personnel records in accordance with State and federal law and School Board policy. Records, as determined by the Superintendent, are retained for all employment applicants, employees, and former employees given the need for the District to document employment-related decisions, evaluate program and staff effectiveness, and comply with government recordkeeping and reporting requirements. Personnel records shall be maintained in the District's administrative office, under the Superintendent's direct supervision.

Access to personnel records is available as follows:

1. An employee will be given access to his or her personnel records according to State law and guidelines developed by the Superintendent.
2. An employee's supervisor or other management employee who has an employment or business-related reason to inspect the record is authorized to have access.
3. Anyone having the respective employee's written consent may have access.
4. Access will be granted to anyone authorized by State or federal law to have access.
5. All other requests for access to personnel information are governed by Board policy 2:250, *Access to District Public Records*.

The Superintendent or designee shall manage a process for responding to inquiries by a prospective employer concerning a current or former employee's job performance. The Superintendent shall execute the requirements in the Abused and Neglected Child Reporting Act whenever another school district asks for a reference concerning an applicant who is or was a District employee and was the subject of a report made by a District employee to DCFS.

When requested for information about an employee by an entity other than a prospective employer, the District will only confirm position and employment dates unless the employee has submitted a written request to the Superintendent or designee.

LEGAL REF.: 745 ILCS 46/10.
 820 ILCS 40/.
 23 Ill. Admin. Code § 1.660.

CROSS REF.: 2:250 (Access to District's Public Records), 7:340 (Student Records)

General Personnel

Administrative Procedure - Personnel Records

Applicant Records

Records for a successful employment applicant are maintained with the individual's employment records. Records for an unsuccessful employment applicant are maintained for no less than 5 years from the application date. Applicant records include the following if received by the District:

- Employee application forms
- Transcripts
- Previous work experience
- References
- Such other relevant information as the District desires of applicants for screening purposes

Personnel Records

Personnel records for all employees include:

- Pre-employment records, including verification of past employment
- Dates of employment
- Records maintained pursuant to regulations of the Internal Revenue Service
- Records maintained for the Illinois Teachers' Retirement System or the Illinois Municipal Retirement System
- Criminal background investigation history and report
- Form I-9 required under the Immigration Reform and Control Act
- Payroll information and deductions including all records required to be kept by 5:35-AP2, *Employee Records Required by the Fair Labor Standards Act* (29 C.F.R. §§516.2 and 516.3)
- Credit release information
- Sick leave data, leaves of absence—~~data~~, personal leave, and vacation data (where appropriate)
- Valid certificate and/or evidence of required credentials for services being performed
- Salary schedule data
- Relevant health and medical records, including the verification of freedom from tuberculosis required by The School Code (105 ILCS 5/24-5)
- Supervisory evaluations
- Promotions
- Disciplinary actions and accompanying records
- Awards received
- Personnel documents that have been or are intended to be used in determining an employee's qualification for promotion, transfer, discharge, or disciplinary action except as provided in 820 ILCS 40/10
- Letter of resignation or retirement

- Notice of discharge and accompanying records
- Notification that an employee is the subject of a Dept. of Children and Family Services (DCFS) investigation pursuant to the Abused and Neglected Child Reporting Act and any report to DCFS made or caused to be made by a District employee concerning another employee; this record will be deleted if DCFS informs the District that the allegations were unfounded
- Any additional information the Administration deems to be relevant

In addition to the above, personnel records for all professional personnel include:

- Valid certificate for services being performed
- Copies of official transcripts required by The School Code (105 ILCS 5/24-23)
- Transcripts of graduate work completed
- Verification of past teaching experience, if any
- Record of in-service work completed

This information shall be maintained permanently for all employees and former employees of the District unless the Local Records Commission's approval is obtained to dispose of them.

Restrictions on Information that May Be Kept

The District will not gather or keep a record of an employee's associations, political activities, publications, communications, or non-employment activities, unless the employee submits the information in writing or authorizes the District in writing to keep or gather such records. However, the District may gather or keep records in an employee's personnel file concerning activities occurring on the District's premises or during the employee's working hours that: (1) interfere with the performance of the employee's duties or activities, or those of other employees, regardless of when and where occurring, (2) constitute criminal conduct or may reasonably be expected to harm the District's property, operations or educational process, or programs, or (3) could, by the employee's actions, cause the District financial liability.

Access to Employee Records and Correction Requests

An employee is granted access to his or her personnel records according to provisions in the Personnel Record Review Act, 820 ILCS 40/0.01 et seq., and any relevant provisions in an applicable collective bargaining agreement. According to the Review Act, an employee is granted access to his or her personnel records at least two times in a calendar year at reasonable intervals. Unless otherwise provided for in a collective bargaining agreement, access to the employee's personnel records shall be according to the following guidelines:

1. The employee must submit a written inspection request to the Superintendent or the Superintendent's designee.
2. The Superintendent or designee will provide the employee the opportunity for inspection within 7 working days after the request. If such deadline cannot reasonably be met, the District will have an additional 7 days to comply.

3. The employee will inspect the personnel record at the District's administrative office during normal working hours or at another time mutually convenient to the employee and the Superintendent or the Superintendent's designee.
4. Inspection of personnel records will be conducted under the supervision of an administrative staff member.
5. Neither an employee nor his or her designated representative will have access to records which are treated as exceptions in the Illinois Personnel Record Review Act discussed below-
6. The employee may copy material maintained in his or her personnel record. Payment for record copying shall be based on the District's actual costs of duplication.
7. The employee may not remove any part of his or her personnel records from his or her file or may not remove any part of his or her personnel records from the District's administrative office.
8. Should the employee demonstrate his or her inability to inspect his or her personnel records in person, the District will mail a copy of (a) specific record(s) upon written request.
9. Should the employee be involved in a current grievance against the District or involved in any other contemplated proceedings against the District, the employee may designate in writing a representative who has the authority to inspect the personnel records under the same rights as the employee.
10. If the employee disagrees with any information contained in the personnel record, a removal or correction of that information may be mutually agreed upon by the employer and employee. If agreement cannot be reached, the employee may submit a written statement explaining his or her position. The District will attach the employee's statement to the disputed portion of the personnel record and the statement shall be included whenever that disputed record is released to a third party as long as the disputed record is part of the employee's personnel file. Inclusion of any written statement attached to the disputed record in an employee's personnel file without any further comment or action by the District will not imply or create any presumption that the District agrees with the statement's contents.

Requests by Third Parties

Before the District divulges disciplinary reports, letters of reprimand, or records of other disciplinary action to a third party, to a party who is a part of the employer's organization, or to a party who is a part of a labor organization representing the employee, the District will provide the employee with a written notice. The written notice to the employee will be mailed to the employee's last known address and will be mailed on or before the day the information is divulged to any of the aforementioned parties.

No such written notice will be required if the employee has specifically waived written notice as part of a written, signed employment application with another employer; the disclosure is

ordered to a party in a legal action or arbitration; or information is requested by a government agency as a result of a claim or complaint by an employee, or as a result of a criminal investigation by such agency.

Before releasing personnel records to a third party or allowing them to be copied, the District will review the requested records and, delete disciplinary reports, letters of reprimand, or other records of disciplinary action that are more than 4 years old, unless the release is ordered to a party in a legal action or arbitration.

Restriction on Employee Access

Section 10 of the Illinois Personnel Record Review Act provides that the right of the employee or the employee's designated representative to inspect his or her personnel records does not extend to:

1. Letters of reference for that employee.
2. Any portion of a test document, except that the employee may see a cumulative total test score for either a section of or the entire test document.
3. Materials relating to the employer's staff planning, such as matters relating to the District's development, expansion, closing or operational goals, where the materials relate to or affect more than one employee, provided, however, that this exception does not apply if such materials are, have been or are intended to be used by the employer in determining an individual employee's qualifications for employment, promotion, transfer, or additional compensation, or in determining an individual employee's discharge or discipline.
4. Information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
5. Records relevant to any other pending claim between the District and employee which may be discovered in a judicial proceeding.
6. Investigatory or security records maintained by the District to investigate criminal conduct by an employee or other activity by the employee which could reasonably be expected to harm the District's property, operations, or education process or programs, or could by the employee's activity cause the District financial liability, unless and until the District takes adverse personnel action based on information in such records.

Complying with Requirements in the Abused and Neglected Child Reporting Act

The Superintendent will execute the requirements in the Abused and Neglected Child Reporting Act whenever a District employee makes a report to DCFS involving another District employee's conduct. This includes performing the following tasks:

1. Disclose to any school district requesting information concerning a current or former employee's job performance or qualifications the fact that he or she was the subject of another employee's report to DCFS. Only the fact that a District employee made a report may be disclosed.

2. Inform the District employee who is or has been the subject of such report that the Superintendent will make the disclosure as described above.
3. Delete the record of such a report if DCFS informs the District that the allegation was unfounded.

LEGAL REF.: 325 ILCS 5/4 and 5/7.4.
 820 ILCS 40/1 et seq.
 23 Ill. Admin. Code § 1.660.

General Personnel

Copyright

Works Made for Hire

The Superintendent shall manage the development of instructional materials and computer programs by employees during the scope of their employment in accordance with State and federal laws and School Board policies. Whenever an employee is assigned to develop instructional materials and/or computer programs, or otherwise performs such work within the scope of his or her employment, it is assured the District shall be the owner of the copyright.

Copyright Compliance

While staff members may use appropriate supplementary materials, it is each staff member's responsibility to abide by the District's copyright compliance procedures and to obey the copyright laws. The District is not responsible for any violations of the copyright laws by its staff or students. A staff member should contact the Superintendent or designee whenever the staff member is uncertain about whether using or copying material complies with the District's procedures or is permissible under the law, or wants assistance on when and how to obtain proper authorization. No staff member shall, without first obtaining the permission of the Superintendent or designee, install or download any program on a District-owned computer. At no time shall it be necessary for a District staff member to violate copyright laws in order to properly perform his or her duties.

LEGAL REF.: Federal Copyright Law of 1976, 17 U.S.C. § 101 et seq.
105 ILCS 5/10-23.10.

CROSS REF.: 6:235 (Access to Electronic Networks)

General Personnel

Administrative Procedure - Copyright Compliance

These guidelines help staff members determine if they may use non-original work freely or whether permission is needed to use or copy it. Whenever a staff member is uncertain, has questions, or needs permission from a copyright-owner to use or copy a work, he or she should contact the Superintendent or designated copyright compliance officer. Appendix 1 is a *Fair Use Assessment Factors Checklist*. Appendix 2 contains use resources available online.

1. Is the work copyright protected? A “no” means you may use the work freely; a “yes” or uncertain answer means you should proceed with the second query.
 - a. No, if it is in the public domain.
 - b. No, if it is a U.S. Government publication.
 - c. No, if it is an idea or method described in copyrighted work.
 - d. The presence of a copyright notice is not determinative.
 - e. Yes, almost all other works.
2. Do you want to exercise one of the copyright owner’s exclusive rights? A “yes” or uncertain answer means you should proceed with the third query.
 - a. Yes, if you plan to copy the work.
 - b. Yes, if you plan to use the work as the basis for a new work.
 - c. Yes, if you plan to electronically distribute or publish copies.
 - d. Yes, if you plan to perform music or drama, recite prose or poetry, or if you plan to play a video and/or audio digital or tape recording or a CD-ROM or DVD.
 - e. Yes, if the plan is to publicly display the work.
3. Does your planned use of the work require the copyright owner’s permission? A “no” means you may use the work, provided that any copies contain the copyright notice as it appears in the original work; a “yes” or uncertain answer means you should contact the Superintendent or designated copyright compliance officer.
 - a. No, if your planned use of printed work is within the *fair use* exception as defined in 17 U.S.C. §107. See Appendix 1.
 - b. No, if your planned use of the work is within the *library’s special rules* exception as defined in 17 U.S.C. §108.
 - A library may make a single copy containing the copyright notice for the purpose of archiving lost, stolen, damaged, or deteriorating works.
 - A library may make a single copy containing the copyright notice for a student or staff member at no more than the actual cost of photocopying, provided that the library finds that the copyrighted work cannot be obtained elsewhere at a fair price.
 - c. No, if your planned use of the work is within the *educational performances and displays* exception as defined in 17 U.S.C. §110.

Performances by teachers or students are permitted as part of a teaching activity in a classroom or instructional setting. All other performances require permission from the copyright owner.
 - d. No, if you plan to use it in an overhead or opaque projector for instructional purposes.

- e. No, if you plan to copy and use music for academic purposes, other than performance.
- f. Yes, notwithstanding the above, if you plan to create anthologies, compilations, or collective works.
- g. Yes, notwithstanding the above, if copies will be *consumed* during the course. *Consumable* works include: workbooks, exercises, standardized tests, test booklets, and answer sheets.
- h. Yes, notwithstanding the above, if you plan to substitute copies for the purchase of the work; likewise, if you yearly copy the same item.
- i. You must receive permission from the Superintendent or designated copyright compliance officer before showing the off-air recording of television programs, video rentals, or videos purchased for home use. You must follow any applicable license agreements.
- j. You must receive permission from the Superintendent or designated copyright compliance officer before using any non-District owned software and/or CD-ROM or DVD products in District owned equipment. No one may install or download any program on District owned equipment without the Superintendent or designee's permission.
- k. You must follow licensing agreements applicable to District owned software and CD-ROM or DVD products.
 - Licensing agreements with the manufacturer and vendor shall be followed.
 - Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment, to avoid the installation of privately purchased software on school equipment, and to avoid the use of single copy software or CD-ROM products across a network with multiple users unless the applicable license agreement permits.
 - A back-up copy shall be purchased for use as a replacement when a program is lost or damaged. If the vendor is not able to supply such, the District shall make a back-up program in accordance with the terms of the applicable licensing agreement or 17 U.S.C. §117.

Appendix 1: Copyright Fair Use Assessment Factors Checklist

Purpose and Character of Use of Copyrighted Work

Use this checklist to analyze whether material falls under the *fair use doctrine*. Factors favoring fair use will generally indicate that material may be used without seeking permission from the copyright owner. Factors opposing fair use require permission to reprint or adapt the material from the copyright owner. If a copyright owner is known, always request permission before using any material.

Favoring Fair Use	Opposing Fair Use
<input type="checkbox"/> Teaching	<input type="checkbox"/> Commercial activity - gain of financial rewards from use; e.g., sale of goods, services; advertising; fundraising, etc.
<input type="checkbox"/> Research/Scholarship/Academics	<input type="checkbox"/> Profiting from use
<input type="checkbox"/> Nonprofit educational institution	<input type="checkbox"/> Bad-faith behavior; e.g., misrepresentation

Favoring Fair Use	Opposing Fair Use
	of intended use
<input type="checkbox"/> Criticism	<input type="checkbox"/> Denying credit to original author or artist
<input type="checkbox"/> Comment	<input type="checkbox"/> Entertainment
<input type="checkbox"/> News reporting	
<input type="checkbox"/> Used to create something new	
<input type="checkbox"/> Restricted access given	
<input type="checkbox"/> Parody	

Nature of Copyrighted Work Used

Favoring Fair Use	Opposing Fair Use
<input type="checkbox"/> Published work	<input type="checkbox"/> Unpublished work
<input type="checkbox"/> Factual or nonfiction based	<input type="checkbox"/> Highly creative work (art, music, novel)
<input type="checkbox"/> Out of print work	<input type="checkbox"/> Fiction

Amount and Substantiality of Copyrighted Work Used

Favoring Fair Use	Opposing Fair Use
<input type="checkbox"/> Small amount used	<input type="checkbox"/> Large portion or whole work used
<input type="checkbox"/> Portion used not central or significant to entire work	<input type="checkbox"/> Portion used is the heart of the work

Impact on Market of Copyrighted Work

Favoring Fair Use	Opposing Fair Use
<input type="checkbox"/> User owns lawfully acquired/purchased copy	<input type="checkbox"/> Could replace sale of copyrighted work
<input type="checkbox"/> One or few copies made	<input type="checkbox"/> Significantly impairs market/potential market of copyrighted work or derivative work
<input type="checkbox"/> No significant effect on market/potential market for copyrighted work	<input type="checkbox"/> Reasonable available licensing mechanisms
<input type="checkbox"/> No similar product marketed by copyright holder	<input type="checkbox"/> Affordable permission to use copyrighted work available
<input type="checkbox"/> No ready licensing or permission mechanism	<input type="checkbox"/> Numerous copies made
	<input type="checkbox"/> Made accessible on the internet or elsewhere
	<input type="checkbox"/> Repeated or long-term use

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Appendix 2: Copyright Resource List

U.S. Copyright Office

www.copyright.gov

Copyright Act, as amended, Title 17 of the United States Code

www.copyright.gov/title17/92chap1.html

Copyright Term and the Public Domain in the United States; updated every Jan. 1.

www.copyright.cornell.edu/resources/publicdomain.cfm

Cornell University Copyright Information Center

Circular 21: Reproductions of Copyrighted Works by Educators and Librarians

www.copyright.gov/circs/circ21.pdf

U.S. Copyright Office

Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with Respect to Books and Periodicals (see Circular 21: Reproductions of Copyrighted Works by Educators and Librarians, page 6)

www.copyright.gov/circs/circ21.pdf

TEACH Act (Technology, Education and Copyright Harmonization Act of 2002)

www.copyright.gov/title17/92appviii.html

The TEACH Act and some Frequently Asked Questions

www.ala.org/ala/issuesadvocacy/copyright/teachact/faq.cfm

TEACH ACT - Amended Section 110(2) Comparison Chart, Sections 110(1)-(2)

www.unc.edu/~uncing/TEACH.htm

The University of North Carolina at Chapel Hill

WIPO (World Intellectual Property Organization)

www.wipo.org

MPAA (Motion Picture Association of America)

www.mpa.org

iCopyright.com (Automated copyright licensing system for digital content)

www.icopyright.com

Permissions Group (Negotiation of rights and fees for the use of copyrighted material in and for all media)

www.permissionsgroup.com

SIIA (Software & Information Industry Association)

www.spa.org

CCC Copyright Clearance Center (Copyright permission for publications worldwide)

www.copyright.com

ASCAP (American Society of Composers, Authors and Publishers)

www.ascap.com

BMI (Broadcast Music Inc.)

www.bmi.com

SESAC, Inc. (A performing rights organization)

www.sesac.com

The Harry Fox Agency, Inc. (Licensing agency for U.S. music publishers)

www.harryfox.com

The Authors Registry (Maintains an extensive directory of authors)

www.authorsregistry.org

Copyright & Fair Use (Stanford University Libraries)

fairuse.stanford.edu/

Copyright Society of the USA

www.csusa.org

The Copyright (Copyright Registration and Information Resource)

www.benedict.com

Crash Course in Copyright

University of Texas

copyright.lib.utexas.edu/

Kohn on Music Licensing

www.kohnmusic.com

National Writers Union

www.nwu.org

Poets & Writers, Inc.

www.pw.org

Project Gutenberg (Internet's oldest producer of FREE electronic books (eBooks or eTexts))

www.promo.net/pg

WATCH: Writers and Their Copyright Holders

tyler.hrc.utexas.edu/

World Intellectual Property Organization

www.wipo.int/portal/index.html.en

General Personnel

Administrative Procedure - Seeking Permission to Copy or Use Copyrighted Works

The following resources are a partial list of where to begin searching for permission to copy or use copyrighted work. Whenever it is unclear who the owner is, or if the owner is a legal entity of some kind (a business or organization), be sure that the person granting permission is authorized to do so. Once it is known whom to ask, initiate contact by writing a letter, calling, or emailing. Seek written permission that clearly describes its scope. Document the receipt of an oral permission and send the owner a confirming letter. A copyright protects materials regardless of whether the owner cares about protection or not. Thus, if required permission cannot be obtained, the work may not be used.

1. For information regarding how to find copyright owners, contact the Writers Artists and Their Copyright Holders (WATCH) program through the University of Texas, Austin's Harry Ransom Humanities Research Center at research.hrc.utexas.edu/watch/. Phone: 512/471-8944, Fax: 512/471-9646, Email: www.hrc.utexas.edu/contact/.
2. For a part of a book or a journal article, contact: Copyright Clearance Center, "CCC" Copyright Clearance Center, Inc., 222 Rosewood Drive, Danvers, MA 01923, Phone: 978/750-8400, Fax: 978/646-8600 Email: info@copyright.com, www.copyright.com.
3. For images, contact: The Film Foundation, 7920 Sunset Boulevard, 6th Floor, Los Angeles, CA 90046, Phone: 303/436-5060, Fax: 323/436-5061, Email: www.film-foundation.org; American Society of Media Photographers, 150 North Second Street, Philadelphia, PA 19106, Phone: 215/451-2767, Fax: 215/451-0880, Email: www.asmp.org.
4. If the author owns the copyright in a contribution to a periodical, magazine, or newspaper, permission may be obtained through The National Writers Union, PO Box 2424, Chicago, IL 60690, Phone: 312/924-1835, www.nwu.org; and the Society of Children's Book Writers and Illustrators, 8271 Beverly Blvd., Los Angeles, CA 90048, Phone: 323/782-1010, Fax: 323/782-1892, Email: scbwi@scbwi.org, www.scbwi.org.
5. For a musical work, contact: American Society of Composers, Authors and Publishers, (ASCAP) One Lincoln Plaza, New York, NY 10023, Phone: 212/621-6000, Email: www.ascap.com; Broadcast Music Incorporated, (BMI), 320 West 57th Street, New York, NY 10019-3790, Phone: 212/586-2000, Email: www.bmi.com/home/licensing; or SESAC, 55 Music Square East, Nashville, TN 37203, Phone: 615/320-0055, Fax: 615/329-9627, Email: www.sesac.com.
6. To record and distribute a musical composition recorded by someone else, or synchronize music with visual images, contact: The Harry Fox Agency, Inc., National Music Publishers Association, 711 Third Avenue, 8th Floor, New York, NY 10017, Phone: 212/370-5330, Fax: 646/ 487-6779, Email: www.harryfox.com, www.nmpa.org.
7. Play Rights

Samuel French, Inc.
45 West 25th Street
New York, NY 10010-2751
Phone: 212/206-8990
Fax: 212/206-1429
www.samuel french.com

Anchorage Press (Plays for young people)
c/o Dramatic Publishing
311 Washington St.
Woodstock, IL 60098-3308
Phone/Fax: 800/448-7469
customerservice@dpcplays.com
www.applays.com

Baker's Plays
c/o Samuel French, Inc.
45 W. 25th Street
New York, NY 10010
Phone: 323/876-0579
Fax: 323/876-5482
www.bakersplays.com

Dramatists Play Service, Inc.
440 Park Avenue South
New York, NY 10016
Phone: 212/683-8960
Fax: 212/213-1539
postmaster@www.dramatists.com
www.dramatists.com

8. For news archives, check the Web. Many of the largest news organizations have placed archives of their back issues online.
9. Movies
The Motion Picture Licensing Corporation, 5455 Centinela Avenue, Los Angeles, CA 90066, Phone: 800/462-8855, Fax: 310/822-4440, Email: [mplc.org/index/contactform](mailto:info@mplc.com), info@mplc.com, www.mplc.com, grants public performance rights. If the author and the publisher are known, contact them directly. If the publisher is unknown contact: The Literary Marketplace, www.literarymarketplace.com (for books) or Ulrich's International Periodicals, www.ulrichsweb.com (for journals), both published by the R. R. Bowker Company, www.bowker.com.
10. Changed Owner
The apparent copyright owner may not be the real copyright owner. The U.S. Copyright Office of Internet Resources, www.loc.gov/copyright, provides online searching of its registration records and performs professional searches for a fee.
11. Software
Contact the software's manufacturer at the address given on the licensing agreement.

General Personnel

Administrative Procedure - Instructional Materials and Computer Programs Developed Within the Scope of Employment

Definitions

The definitions used in this procedure are in accordance with State and federal law. In the event of a change, these procedures shall be deemed to be modified to the extent required by the change.

Works made for hire - Instructional materials and computer programs (including written, electronic, digital, audio, visual materials and tapes, films, and works of art) when an employee creates them:

1. Within the employee's scope of employment,
2. In whole or in part during hours of District employment (not including lunch periods or other similar free periods),
3. Under the District's supervision or control,
4. As a direct result of the employee's duties with the District, and/or
5. Using District resources or facilities.

Proceeds - Profits derived from the sale of instructional materials after deducting the expenses of developing and marketing these materials.

Computer program - A series of coded instructions or statements in a form acceptable to a computer, which causes the computer to process data in order to achieve a certain result.

Computer - An internally programmed, general purpose digital device capable of automatically accepting and processing data and supplying the results of the operation.

Instructional Material Prepared Within the Scope of Employment

All instructional materials developed by an employee within the scope of District employment are works made for hire and belong to the District. The District is entitled to all proceeds from the sale of works made for hire other than computer programs.

An employee must provide the Superintendent or designee with prior written notification of his or her intention to publish any computer programs developed within the scope of employment. The District has the exclusive right to register the copyrights for them. Unless the employee specifically states in writing to the contrary, the employee warrants that any programs developed and submitted to the District for publication are original.

Computer Programs Prepared Within the Scope of Employment

All computer programs developed by an employee within the scope of District employment are works made for hire and belong to the District.

An employee who develops a computer program is entitled to a share of the proceeds from its sale as agreed to by the District. Neither the employee nor the District may receive more than 90% of the proceeds. An employee's representative may conduct the negotiation; the School Board must approve all agreements.

The employee must provide the Superintendent or designee with prior written notification of his or her intention to publish any computer programs developed within the scope of District employment. The District has the exclusive right to register the copyrights for them. Unless the employee specifically states in writing to the contrary, the employee warrants that any programs developed and submitted to the District for publication are original.

The District shall compute proceeds. The proceeds of a computer program developed by more than one employee shall be equitably distributed among such employees, in proportion to their participation in the program's development.

LEGAL REF.: 17 U.S.C. §101.
105 ILCS 5/10-23.10.

General Personnel

Exhibit - Request to Reprint or Adapt Material

On District letterhead

Date

To: _____

On behalf of the School District, I am requesting permission to **reprint** [*to use without change*] or **adapt** [*to use and modify*] the following material:

No reprinted or adapted material will be used in a sales promotion or advertising campaign. If permission to reprint or adapt this material is granted, the material will be used for the following purpose(s): _____

The following credit line will appear on each reprint or adaption:

Reprinted/Adapted, with permission from (publication) _____ Copyright year of publication _____ Copyright owner _____ All rights reserved.

If you agree to grant permission for the School District to reprint or adapt the above listed material, please sign the **Permission to Reprint or Adapt Material** and return it to the requestor.

Please contact me at _____ if you have any questions. Thank you for your consideration.

School District Requestor (*please print*)

Email/Fax

Signature

Date

Permission to Reprint or Adapt Material

I hereby grant permission to the School District requestor to reprint or adapt material as requested on the terms and conditions stated herein.

Copyright owner (*please print*)

Signature

Date

General Personnel

Temporary Illness or Temporary Incapacity

A temporary illness or temporary incapacity is an illness or other capacity of ill-being that renders an employee physically or mentally unable to perform assigned duties. During such a period, the employee can use accumulated sick leave benefits. However, income received from other sources (worker's compensation, District-paid insurance programs, etc.) will be deducted from the District's compensation liability to the employee. The School Board's intent is that in no case will the employee, who is temporarily disabled, receive more than 100 percent of his or her gross salary.

Those insurance plans privately purchased by the employee and to which the District does not contribute, are not applicable to this policy.

If illness, incapacity, or any other condition causes a teacher or other licensed employee to be absent in one school year, after exhaustion of all available leave, for more than 90 consecutive work days, such absence may be considered a permanent disability and the Board may begin dismissal proceedings subject to State and federal law, including the Americans with Disabilities Act. The Superintendent may recommend this paragraph's use when circumstances strongly suggest that the employee returned to work intermittently in order to avoid this paragraph's application. This paragraph shall not be considered a limitation on the Board's authority to take any action concerning an employee that is authorized by state and federal law.

Any employee may be required to have an examination, at the District's expense, by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervisor to perform health examinations if the examination is job-related and consistent with business necessity.

LEGAL REF.: Americans with Disabilities Act, 42 U.S.C. §12102.
105 ILCS 5/10-22.4, 5/24-12, and 5/24-13.
Elder v. School Dist. No.127 1/2, 208 N.E.2d 423 (Ill.App.1, 1965).
School District No. 151 v. ISBE, 507 N.E.2d 134 (Ill.App.1, 1987).

CROSS REF.: 5:30 (Hiring Process and Criteria), 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

General Personnel

Family and Medical Leave

Leave Description

An eligible employees may use unpaid family and medical leave (FMLA leave), guaranteed by the federal Family and Medical Leave Act. The U.S. Department of Labor's rules implementing FMLA, as they may be amended from time to time, control FMLA leave.

An eligible employee may take FMLA leave for up to a combined total of 12 weeks each 12-month period, beginning August 1 and ending July 31 of the next year.

During a single 12-month period, an eligible employee's FMLA leave entitlement may be extended to a total of 26 weeks of unpaid leave to care for a covered service member (defined in the federal rules) with a serious injury or illness. The "single 12-month period" is measured forward from the date the employee's first FMLA leave to care for the covered servicemember begins.

While FMLA leave is normally unpaid, the District will substitute an employee's accrued compensatory time-off and/or paid leave for unpaid FMLA leave. All policies and rules regarding the use of paid leave apply when paid leave is substituted for unpaid FMLA leave. Any substitution of paid leave for unpaid FMLA leave will count against the employee's FMLA leave entitlement. Use of FMLA leave shall not preclude the use of other applicable unpaid leave that will extend the employee's leave beyond 12 weeks, provided that the use of FMLA leave shall not serve to extend such other unpaid leave. Any full workweek period during which the employee would not have been required to work, including summer break, winter break and spring break, is not counted against the employee's FMLA leave entitlement.

Family and medical leave is available in one or more of the following instances:

1. The birth and first-year care of a son or daughter.
2. The adoption or foster placement of a son or daughter, including absences from work that are necessary for the adoption or foster care to proceed and expiring at the end of the 12-month period beginning on the placement date.
3. The serious health condition of an employee's spouse, parent, or child.
4. The employee's own serious health condition that makes the employee unable to perform the functions of his or her job.
5. The existence of a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty or has been notified of an impending call or order to active duty as provided in federal rules.

6. To care for the employee's spouse, child, parent, or next of kin who is a covered service member with a serious injury or illness, as provided by federal rules.

If spouses are employed by the District, they may together take only 12-weeks for FMLA leaves when the reason for the leave is 1 or 2, above, or to care for a parent with a serious health condition, or a combined total of 26 weeks for item 6 above.

An employee may be permitted to work on an intermittent or reduced-leave schedule in accordance with federal rules.

Eligibility

To be eligible for FMLA leave, an employee must be employed at the worksite where at least 50 employees are employed within 75 miles. In addition, one of the following provisions must describe the employee:

1. The employee has been employed by the District for at least 12 months and has been employed for at least 1,250 hours of service during the 12-month period immediately before the beginning of the leave. However, the District will not consider any period of previous employment that occurred more than seven years before the date of the most recent hiring, except when the service break is due to fulfillment of a covered service obligation under the employee's Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. 4301, et seq., or when a written agreement exists concerning the District's intention to rehire the employee.
2. The employee is a full-time classroom teacher.

Requesting Leave

If the need for the FMLA leave is foreseeable, an employee must provide the Superintendent or designee with at least 30 days' advance notice before the leave is to begin. If 30 days' advance notice is not practicable, the notice must be given as soon as practicable. The employee shall make a reasonable effort to schedule a planned medical treatment so as not to disrupt the District's operations, subject to the approval of the health care provider administering the treatment. The employee shall provide at least verbal notice sufficient to make the Superintendent or designee aware that he or she needs FMLA leave, and the anticipated timing and duration of the leave. Failure to give the required notice for a foreseeable leave may result in a delay in granting the requested leave until at least 30 days after the date the employee provides notice.

Certification

Within 15 calendar days after the Superintendent or designee makes a request for certification for a FMLA leave, an employee must provide one of the following:

1. When the leave is to care for the employee's covered family member with a serious health condition, the employee must provide a complete and sufficient certificate signed by the family member's health care provider.
2. When the leave is due to the employee's own serious health condition, the employee must provide a complete and sufficient certificate signed by the employee's health care provider.
3. When the leave is to care for a covered service member with a serious illness or injury, the employee must provide a complete and sufficient certificate signed by an authorized health care provider for the covered service member
4. When the leave is because of a qualified exigency, the employee must provide: (a) a copy of the covered military member's active duty orders or other documentation issued by the military indicating that the military member is on active duty or call to active duty status and the dates of the covered military member's active duty service, and (b) a statement or description, signed by the employee, of appropriate facts regarding the qualifying exigency for which FMLA leave is requested.

The District may require an employee to obtain a second and third opinion at its expense when it has reason to doubt the validity of a medical certification.

The District may require recertification at reasonable intervals, but not more often than once every 30 days. Regardless of the length of time since the last request, the District may request recertification when the, (1) employee requests a leave extension, (2) circumstances described by the original certification change significantly, or (3) District receives information that casts doubt upon the continuing validity of the original certification. Recertification is at the employee's expense and must be provided to the District within 15 calendar days after the request. The District may request recertification every six months in connection with any absence by an employee needing an intermittent or reduced schedule leave for conditions with a duration in excess of six months.

Failure to furnish a complete and sufficient certification on forms provided by the District may result in a denial of the leave request.

Continuation of Health Benefits

During a family and medical leave, employees are entitled to continuation of health benefits that would have been provided if they were working. Any share of health plan premiums being paid by the employee before taking the leave, must continue to be paid by the employee during the FMLA leave. A District's obligation to maintain health insurance coverage ceases if an employee's premium payment is more than 30 days late and the District notifies the employee at least 15 days before coverage will cease.

Changed Circumstances and Intent to Return

An employee must provide the Superintendent or designee reasonable notice of changed circumstances (i.e., within two business days if the changed circumstances are foreseeable) that will alter the duration of the FMLA leave. The Superintendent or designee, taking into consideration all of the relevant facts and circumstances related to an individual's leave situation, may ask an employee who has been on FMLA leave for eight consecutive weeks whether he or she intends to return to work.

Return to Work

If returning from FMLA leave occasioned by the employee's own serious health condition, the employee is required to obtain and present certification from the employee's health care provider that he or she is able to resume work.

An employee returning from a family and medical leave will be given an equivalent position to his or her position before the leave, subject to: (1) permissible limitations the District may impose as provided in the FMLA or implementing regulations, and (2) the District's reassignment policies and practices.

Classroom teachers may be required to wait to return to work until the next semester in certain situations as provided by the FMLA regulations.

Implementation

The Superintendent or designee shall ensure that: (1) all required notices and responses to leave requests are provided to employees in accordance with the FMLA; and (2) this policy is implemented in accordance with the FMLA. In the event of a conflict between the policy and the FMLA or its regulations, the latter shall control. The terms used in this policy shall be defined as in the FMLA regulations.

LEGAL REF.: Family and Medical Leave Act, 29 U.S.C. § 2601 et seq., 29 C.F.R. Part 825.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:250 (Leaves of Absence), 5:310 (Compensatory Time-Off), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

General Personnel

Administrative Procedure - Resource Guide for Family and Medical Leave

Web Resources

Revised FMLA Poster

www.dol.gov/esa/whd/fmla/finalrule/FMLAPoster.pdf

Certification of Health Care Provider for Employee's Serious Health Condition (App. B)

www.dol.gov/esa/whd/forms/WH-380-E.pdf

Certification of Health Care Provider for Family Member's Serious Health Condition (App. B)

www.dol.gov/esa/whd/forms/WH-380-F.pdf

Notice of Eligibility and Rights & Responsibilities (App. C)

www.dol.gov/esa/whd/fmla/finalrule/WH381.pdf

Designation Notice (App. E)

www.dol.gov/esa/whd/forms/WH-382.pdf

Certification of Qualifying Exigency For Military Family Leave (PDF) (App. G)

www.dol.gov/esa/whd/forms/WH-384.pdf

Certification for Serious Injury or Illness of Covered Servicemember -- for Military Family Leave (App. H)

www.dol.gov/esa/whd/forms/WH-385.pdf

Fact Sheet #28 (Non-Military) (PDF)

www.dol.gov/esa/whd/fmla/finalrule/whdfs28.pdf

Fact Sheet #28A (Military) (PDF)

www.dol.gov/esa/whd/regs/compliance/whdfs28a.pdf

Department of Labor Rules

29 C.F.R. Part 825,

ecfr.gpoaccess.gov/cgi/t/text/text-

[idx?c=ecfr&tpl=/ecfrbrowse/Title29/29cfr825_main_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title29/29cfr825_main_02.tpl)

Subpart A - Coverage Under the Family and Medical Leave Act

§825.100 101 General

§§825.110-111 Eligible employees

§825.112 Qualifying reasons for leave, general rule

§§825.113-115 Serious health condition, inpatient care, continuing treatment

§825.119 Leave for treatment of substance abuse

§825.120 Leave for pregnancy or birth

§825.121 Leave for adoption or foster care

§825.122 Definitions of spouse, parent, son or daughter, next of kin of a covered servicemember, adoption, foster care, son or daughter on active duty or call to active duty status, son or daughter of a covered servicemember, and parent of

- a covered servicemember
- §825.123 Unable to perform the functions of the position
- §825.124 Needed to care for a family member or covered servicemember
- §825.125 Definition of health care provider
- §825.126 Leave because of a qualifying exigency
- §825.127 Leave to care for a covered servicemember with a serious injury or illness

Subpart B - Employee Leave Entitlements Under the Family and Medical Leave Act

- §825.200 Amount of leave
- §825.201 Spouses employed by the same employer
- §§825.202-205 Intermittent leave or reduced leave schedule
- §825.206 Interaction with the FLSA
- §825.207 Substitution of paid leave
- §§825.209-211 Maintenance of employee benefits
- §§825.212-213 Employee failure to pay health plan premium payments
- §§825.214-216 Employee right to reinstatement
- §§825.217-219 Key employee, general rule
- §825.220 Protection for employees who request leave or otherwise assert FMLA rights

Subpart C - Employee and Employer Rights and Obligations Under the Act

- §§825.300-301 Employer notice requirements
- §§825.302-304 Employee notice requirements
- §§825.305-308 Certification
- §§825.309-310 Certification for leave taken because of a qualifying exigency or covered servicemember
- §§825.311-313 Return to work, fitness-for-duty certification

Subpart D - Enforcement Mechanisms

- §§825.400-404 Enforcement, filing a complaint, appealing the assessment of a penalty

Subpart E - Record-Keeping Requirements

- §825.500 Record-keeping requirements

Subpart F - Special Rules Applicable to Employees of Schools

- §825.600 Definitions
- §825.601 Limitations on intermittent leave
- §825.602 Limitations on leave near the end of an academic term

- §825.603 Duration of FMLA leave
- §825.604 Restoration to “an equivalent position”

Subpart G - Effect of Other Laws, Employer Practices, and Collective Bargaining Agreements on Employee Rights Under FMLA

- §825.700 Interaction with employer’s policies
- §825.701 Interaction with State laws
- §825.702 Interaction with Federal and State anti-discrimination laws

Definitions for Implementing Board Policy (29 C.F.R. §825.800)

Active duty or call to active duty status means duty under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation pursuant to Section 688 of Title 10 of the United States Code, which authorizes ordering to active duty retired members of the Regular Armed Forces and members of the retired Reserve who retired after completing at least 20 years of active service; Section 12301(a) of Title 10 of the United States Code, which authorizes ordering all reserve component members to active duty in the case of war or national emergency; Section 12302 of Title 10 of the United States Code, which authorizes ordering any unit or unassigned member of the Ready Reserve to active duty; Section 12304 of Title 10 of the United States Code, which authorizes ordering any unit or unassigned member of the Selected Reserve and certain members of the Individual Ready Reserve to active duty; Section 12305 of Title 10 of the United States Code, which authorizes the suspension of promotion, retirement or separation rules for certain Reserve components; Section 12406 of Title 10 of the United States Code, which authorizes calling the National Guard into federal service in certain circumstances; chapter 15 of Title 10 of the United States Code, which authorizes calling the National Guard and state military into federal service in the case of insurrections and national emergencies; or any other provision of law during a war or during a national emergency declared by the President or Congress so long as it is in support of a contingency operation. See also §825.126(b)(2).

Commerce and industry or activity affecting commerce mean any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce, and include “commerce” and any “industry affecting commerce” as defined in Sections 501(1) and 501(3) of the Labor Management Relations Act of 1947, 29 U.S.C. 142(1) and (3).

Contingency operation means a military operation that:

- (1) Is designated by the Secretary of Defense as an operation in which members of the armed forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force; or
- (2) Results in the call or order to, or retention on, active duty of members of the uniformed services under Section 688, 12301(a), 12302, 12304, 12305, or 12406 of Title 10 of the United States Code, chapter 15 of Title 10 of the United States Code, or any other provision of law during a war or during a national emergency declared by the President or Congress. See also §825.126(b)(3).

Continuing treatment by a health care provider means any one of the following:

- (1) **Incapacity and treatment.** A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - (i) Treatment two or more times, within 30 days of the first day of incapacity, unless extenuating circumstances exist, by a health care provider, by a nurse under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or

- (ii) Treatment by a health care provider on at least one occasion, which results in a regimen of continuing treatment under the supervision of the health care provider.
 - (iii) The requirement in paragraphs (1)(i) and (ii) of this definition for treatment by a health care provider means an in-person visit to a health care provider. The first in-person treatment visit must take place within seven days of the first day of incapacity.
 - (iv) Whether additional treatment visits or a regimen of continuing treatment is necessary within the 30-day period shall be determined by the health care provider.
 - (v) The term “extenuating circumstances” in paragraph (1)(i) of this definition means circumstances beyond the employee’s control that prevent the follow-up visit from occurring as planned by the health care provider. Whether a given set of circumstances are extenuating depends on the facts. See also §825.115(a)(5).
- (2) **Pregnancy or prenatal care.** Any period of incapacity due to pregnancy, or for prenatal care. See also §825.120.
- (3) **Chronic conditions.** Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
- (i) Requires periodic visits (defined as at least twice a year) for treatment by a health care provider, or by a nurse under direct supervision of a health care provider;
 - (ii) Continues over an extended period of time (including recurring episodes of a single underlying condition); and
 - (iii) May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
- (4) **Permanent or long-term conditions.** A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer’s, a severe stroke, or the terminal stages of a disease.
- (5) **Conditions requiring multiple treatments.** Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, for:
- (i) Restorative surgery after an accident or other injury; or
 - (ii) A condition that would likely result in a period of incapacity of more than three consecutive full calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).
- (6) Absences attributable to incapacity under paragraphs (2) or (3) of this definition qualify for FMLA leave even though the employee or the covered family member does not receive treatment from a health care provider during the absence, and even if the absence does not last more than three consecutive full calendar days. For example, an employee with asthma may be unable to report for work due to the onset of an asthma attack or because the employee’s health care provider has advised the employee to stay home when the pollen count exceeds a certain level. An employee who is pregnant may be unable to report to work because of severe morning sickness.

Covered military member means the employee’s spouse, son, daughter, or parent on active duty or call to active duty status. See also §825.126(b).

Covered service member means a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty. See also §825.127(a).

Eligible employee means:

- (1) An employee who has been employed for a total of at least 12 months by the employer on the date on which any FMLA leave is to commence, except that an employer need not consider any period of previous employment that occurred more than seven years before the date of the most recent hiring of the employee, unless:
 - (i) The break in service is occasioned by the fulfillment of the employee's National Guard or Reserve military service obligation (the time served performing the military service must be also counted in determining whether the employee has been employed for at least 12 months by the employer, but this section does not provide any greater entitlement to the employee than would be available under the Uniformed Services Employment and Reemployment Rights Act (USERRA)); or
 - (ii) A written agreement, including a collective bargaining agreement, exists concerning the employer's intention to rehire the employee after the break in service (e.g., for purposes of the employee furthering his or her education or for childrearing purposes); and
- (2) Who, on the date on which any FMLA leave is to commence, has been employed for at least 1,250-hours of service with such employer during the previous 12-month period, except that:
 - (i) An employee returning from fulfilling his or her National Guard or Reserve military obligation shall be credited with the hours-of-service that would have been performed but for the period of military service in determining whether the employee worked the 1,250 hours of service (accordingly, a person reemployed following military service has the hours that would have been worked for the employer added to any hours actually worked during the previous 12-month period to meet the 1,250-hour requirement);
 - (ii) To determine the hours that would have been worked during the period of military service, the employee's preservice work schedule can generally be used for calculations; and
- (3) Who is employed in any State of the United States, the District of Columbia or any Territories or possession of the United States.
- (4) Excludes any Federal officer or employee covered under subchapter V of chapter 63 of title 5, United States Code.
- (5) Excludes any employee of the United States House of Representatives or the United States Senate covered by the Congressional Accountability Act of 1995, 2 U.S.C. 1301.
- (6) Excludes any employee who is employed at a worksite at which the employer employs fewer than 50 employees if the total number of employees employed by that employer within 75 miles of that worksite is also fewer than 50.
- (7) Excludes any employee employed in any country other than the United States or any Territory or possession of the United States.

Employ means to suffer or permit to work.

Employee has the meaning given the same term as defined in section 3(e) of the Fair Labor Standards Act, 29 U.S.C. 203(e), as follows:

- (1) The term "employee" means any individual employed by an employer;
- (2) In the case of an individual employed by a public agency, "employee" means—

- (iii) Any individual employed by a State, political subdivision of a State, or an interstate governmental agency, other than such an individual—
 - (A) Who is not subject to the civil service laws of the State, political subdivision, or agency which employs the employee; and
 - (B) Who—
 - (1) Holds a public elective office of that State, political subdivision, or agency,

- (2) Is selected by the holder of such an office to be a member of his personal staff,
- (3) Is appointed by such an officeholder to serve on a policymaking level,
- (4) Is an immediate adviser to such an officeholder with respect to the constitutional or legal powers of the office of such officeholder, or
- (5) Is an employee in the legislative branch or legislative body of that State, political subdivision, or agency and is not employed by the legislative library of such State, political subdivision, or agency.

Employee employed in an instructional capacity. See the definition of Teacher in this section.

Employer means any person engaged in commerce or in an industry or activity affecting commerce who employs 50 or more employees for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year, and includes—

- (1) Any person who acts, directly or indirectly, in the interest of an employer to any of the employees of such employer;
- (2) Any successor in interest of an employer; and
- (3) Any public agency.

Employment benefits means all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an “employee benefit plan” as defined in Section 3(3) of the Employee Retirement Income Security Act of 1974, 29 U.S.C. 1002(3). The term does not include non-employment related obligations paid by employees through voluntary deductions such as supplemental insurance coverage. (See §825.209(a).)

FLSA means the Fair Labor Standards Act (29 U.S.C. 201 *et seq.*).

Group health plan means any plan of, or contributed to by, an employer (including a self-insured plan) to provide health care (directly or otherwise) to the employer’s employees, former employees, or the families of such employees or former employees. For purposes of FMLA the term “group health plan” shall not include an insurance program providing health coverage under which employees purchase individual policies from insurers provided that:

- (1) No contributions are made by the employer;
- (2) Participation in the program is completely voluntary for employees;
- (3) The sole functions of the employer with respect to the program are, without endorsing the program, to permit the insurer to publicize the program to employees, to collect premiums through payroll deductions and to remit them to the insurer;
- (4) The employer receives no consideration in the form of cash or otherwise in connection with the program, other than reasonable compensation, excluding any profit, for administrative services actually rendered in connection with payroll deduction; and,
- (5) The premium charged with respect to such coverage does not increase in the event the employment relationship terminates.

Health care provider means:

- (1) The Act defines “health care provider” as:
 - (i) A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; or
 - (ii) Any other person determined by the Secretary to be capable of providing health care services.
- (2) Others “capable of providing health care services” include only:
 - (i) Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as

- demonstrated by X-ray to exist) authorized to practice in the State and performing within the scope of their practice as defined under State law;
- (ii) Nurse practitioners, nurse-midwives, clinical social workers and physician assistants who are authorized to practice under State law and who are performing within the scope of their practice as defined under State law;
 - (iii) Christian Science Practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts. Where an employee or family member is receiving treatment from a Christian Science practitioner, an employee may not object to any requirement from an employer that the employee or family member submit to examination (though not treatment) to obtain a second or third certification from a health care provider other than a Christian Science practitioner except as otherwise provided under applicable State or local law or collective bargaining agreement.
 - (iv) Any health care provider from whom an employer or the employer's group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits; and
 - (v) A health care provider listed above who practices in a country other than the United States, who is authorized to practice in accordance with the law of that country, and who is performing within the scope of his or her practice as defined under such law.
- (3) The phrase "authorized to practice in the State" as used in this section means that the provider must be authorized to diagnose and treat physical or mental health conditions. Incapable of self-care means that the individual requires active assistance or supervision to provide daily self-care in several of the "activities of daily living" (ADLs) or "instrumental activities of daily living" (IADLs). Activities of daily living include adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing and eating. Instrumental activities of daily living include cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

Instructional employee: See the definition of Teacher in this section.

Intermittent leave means leave taken in separate periods of time due to a single illness or injury, rather than for one continuous period of time, and may include leave of periods from an hour or more to several weeks. Examples of intermittent leave would include leave taken on an occasional basis for medical appointments, or leave taken several days at a time spread over a period of six months, such as for chemotherapy.

Mental disability: See the definition of Physical or mental disability in this section.

Next of kin of a covered servicemember means the nearest blood relative other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: Blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin. See also §825.127(b)(3).

Outpatient status means, with respect to a covered servicemember, the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. See also §825.127(a)(2).

Parent means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter as defined below. This term does not include parents "in law."

Parent of a covered servicemember means a covered servicemember's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents "in law." See also §825.127(b)(2).

Physical or mental disability means a physical or mental impairment that substantially limits one or more of the major life activities of an individual. Regulations at 29 CFR Part 1630, issued by the Equal Employment Opportunity Commission under the Americans with Disabilities Act (ADA), 42 U.S.C. 12101 et seq., as amended, define these terms.

Reduced leave schedule means a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

Serious health condition means an illness, injury, impairment or physical or mental condition that involves inpatient care as defined in §825.114 or continuing treatment by a health care provider as defined in §825.115. Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not "serious health conditions" unless inpatient hospital care is required or unless complications develop. Restorative dental or plastic surgery after an injury or removal of cancerous growths are serious health conditions provided all the other conditions of this regulation are met. Mental illness or allergies may be serious health conditions, but only if all the conditions of §825.113 are met.

Serious injury or illness means an injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank, or rating. See also §825.127(a)(1).

Son or daughter means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to commence.

Son or daughter of a covered servicemember means a covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age. See also §825.127(b)(1).

Son or daughter on active duty or call to active duty status means the employee's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stood in loco parentis, who is on active duty or call to active duty status, and who is of any age. See also §825.126(b)(1).

Spouse means a husband or wife as defined or recognized under State law for purposes of marriage in the State where the employee resides, including common law marriage in States where it is recognized. State means any State of the United States or the District of Columbia or any Territory or possession of the United States.

Teacher (or employee employed in an instructional capacity, or instructional employee) means an employee employed principally in an instructional capacity by an educational agency or school whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily noninstructional employees.

LEGAL REF.: Family and Medical Leave Act, 29 U.S.C. §2601 et seq.; 29 C.F.R. Part 825.

Professional Personnel

Teacher Qualifications

A teacher, as the term is used in this policy, refers to a District employee who is required to be licensed under State law. The following qualifications apply:

1. Each teacher must:
 - a. Have a valid Illinois Professional Educator License issued by the State Superintendent of Education with the required endorsements as provided in the School Code.
 - b. Provide the District Office with a complete transcript of credits earned in institutions of higher education.
 - c. On or before September 1 of each year, unless otherwise provided in an applicable collective bargaining agreement, provide the District Office with a transcript of any credits earned since the date the last transcript was filed.
 - d. Notify the Superintendent of any change in the teacher's transcript.
2. All teachers working in a program supported with federal funds under Title I, Part A must meet applicable State certification and licensure requirements.

The Superintendent or designee shall:

1. Monitor compliance with State and federal law requirements that teachers be appropriately licensed;
2. Through incentives for voluntary transfers, professional development, recruiting programs, or other effective strategies, ensure that minority students and students from low-income families are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers; and
3. Ensure parents/guardians of students in schools receiving Title I funds are notified of their right to request their students' classroom teachers' professional qualifications.

LEGAL REF.: 20 U.S.C. § 6312€(1)(A).
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105 ILCS 5/10-20.15, , 5/21-11.4, 5/21B-15, 5/21B-20, 5/21B-25, and 5/24-23.
23 Ill. Admin. Code §1.610 et seq., §1.705 et seq., and Part 25.

CROSS REF.: 6:170 (Title I Programs)

Professional Personnel

Administrative Procedure – Plan to Ensure That All Teachers Who Teach Core Academic Subjects Are *Highly Qualified*¹

Actor	Requirements and Actions That Must Be Completed
Superintendent or designee	<p>Identify all core academic subjects and non-core subjects.</p> <p>For core academic subjects, recommend for hiring only teachers who are <i>highly qualified</i>, as defined by Title I of the Elementary and Secondary Education Act and its implementing regulations, State law, and School Board policy 5:190.</p> <p>Identify any teacher currently employed teaching a core subject who is not <i>highly qualified</i>.</p> <p>Inform the Building Principal of any teacher in his or her building teaching a core subject who is not <i>highly qualified</i>.</p> <p>Notify each teacher teaching a core subject and who is not <i>highly qualified</i> that federal law requires that all elementary and secondary teachers be <i>highly qualified</i>.</p> <p>Complete a roadmap for each not <i>highly qualified</i> teacher describing the specific activities that are appropriate to get the individual to <i>highly qualified</i> status within 2 years, benchmarks, proposed completion dates, resources necessary, date of completion, and a District contact person. These documents must be kept on file at the District office for ROE Teacher Audits and ISBE random audits. http://www.isbe.net/certification/pdf/RMNQT_form.pdf.</p> <p>Consult with Building Principals and other administrative staff members about methods to ensure that core-subject teachers are <i>highly qualified</i>, such as through incentives for voluntary transfers, professional development, recruiting programs, or other effective strategies.</p> <p>Appoint a committee to devise methods to: (1) ensure that core subjects are only taught by <i>highly qualified</i> teachers, and (2) assist teachers to become <i>highly qualified</i>.</p> <p>Ensure that minority students and students from low-income families are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers.</p>

¹ NCLBA requires that all schools receiving Title I funds have a plan to ensure that all core-subject teachers are "highly qualified" by (20 U.S.C. §6319(a)(3); 34 C.F.R. §200.57(b)). This sample procedure must be augmented in response to a district's specific conditions.

Professional Personnel

Exhibit - Notice to Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications

On District letterhead

Date

Re: You May Request Your Child's Classroom Teachers' Qualifications

Dear Parents/Guardian:

As a parent or guardian of a student at a school receiving funds under Title I of the Elementary and Secondary Education Act, you have the right to request the professional qualifications of the teachers who instruct your child and the paraprofessionals, if any, who assist them. You may request the following information about each of your child's classroom teachers and their paraprofessional assistants, if any:

- Whether the teacher has met State certification requirements;
- Whether the teacher is teaching under an emergency permit or other provisional status by which State licensing criteria have been waived.
- The teacher's college major.
- Whether the teacher has any advanced degrees and, if so, the subject of the degrees.
- Whether any instructional aides or similar paraprofessionals provide services to your child and, if they do, their qualifications.

If you would like to receive any of this information, please contact the school office.

Sincerely,

Superintendent

Professional Personnel

Exhibit - Notice to Parents When Their Child Is Assigned To or Has Been Taught for at Least Four Straight Weeks By a Teacher Who Is Not *Highly Qualified*

On District letterhead

Date

Re: Your Child Is Assigned To or Has Been Taught for at Least Four Straight Weeks By a Teacher Who Is Not *Highly Qualified* as Defined by Federal Law

Dear Parents/Guardians:

All teachers with primary responsibility for instructing students in the core academic subject areas (science, the arts, reading or language arts, English, history, civics and government, economics, geography, foreign language, and mathematics) must be *highly qualified* for those assignments as determined by State and federal law.

The teacher listed below has taught your student's class for the last four consecutive weeks. While the District is unable to verify that the teacher meets the federal law's definition of *highly qualified*, our observations of his/her classroom indicate that he/she is providing a satisfactory educational program and experience.

If you have any questions concerning this notice, please contact the school office.

Teacher: _____ Subject: _____

Sincerely,

Superintendent

Instruction

Exhibit - Letter to Teacher Who Is Not *Highly Qualified*

On District letterhead

Date

Re: Your Roadmap for Becoming a *Highly Qualified* Teacher

Dear *[insert teacher's name]*:

Teachers with primary responsibility for instructing students in the core academic subject areas (science, the arts, reading or language arts, English, history, civics and government, economics, geography, foreign language, and mathematics) are required to be *highly qualified* for those assignments. The criteria contained in 23 Ill.Admin.Code Part 25, Appendix D determine if a teacher is highly qualified. See <http://www.ilga.gov/commission/icar/admincode/023/02300025ZZ9996dR.html>.

Our records indicate you are teaching without being *highly qualified*. Please contact your Building Principal as soon as possible to cooperatively develop the ISBE-required *Roadmap for Each Not Highly Qualified Teacher*.

If you believe this letter was sent to you by mistake, please contact your Building Principal as soon as possible so that we may correct our records if appropriate.

Sincerely,

Superintendent

Professional Personnel

Terms and Conditions of Employment and Dismissal

The Superintendent shall manage the terms and conditions for the employment of professional personnel. The Superintendent shall act reasonably and comply with State and federal law as well as any applicable collective bargaining agreement in effect. The Superintendent is responsible for making dismissal recommendations to the Board consistent with the Board's goal of having a highly qualified, high performing staff.

School Year and Day

Teachers shall work according to the school calendar adopted by the Board, which shall have a minimum of 176 student attendance days and a minimum of 180 teacher work days, including teacher institute days.

Teachers are required to work the school day adopted by the Board. Teachers employed for at least 4 hours per day shall receive a duty-free lunch equivalent to the student lunch period, or 30 minutes, whichever is longer.

The District accommodates employees who are nursing mothers according to provisions in State and federal law.

Salary

Teachers shall be paid according to the salary schedule adopted by the Board, but in no case less than the minimum salary provided by the School Code. Teachers shall be paid at least monthly on a 10- or 12-month basis.

Assignments and Transfers

The Superintendent is authorized to make teaching, study hall, extra class duty, and extracurricular assignments. In order of priority, assignments shall be made based on the District's needs and best interests, employee qualifications, employee desires, and the provisions specified in the Agreement Between the Board of Education Winthrop Harbor School District No. 1 and the Winthrop Harbor Council, Lake County Federation of Teachers, Local 504, IFT-AFT/AFL-CIO.

Dismissal

The District will follow State law when dismissing a teacher.

Evaluation

The District's teacher evaluation system will be conducted under the plan developed pursuant to State law.

LEGAL REF.: 105 ILCS 5/10-19, 5/18-8, 5/24-2, 5/24-8, 5/24-9, 5/24-21, 5/24A-4, and 5/24A-5.
820 ILCS 260/.
23 Ill.Admin.Code Parts 50 (Evaluation of Certified Employees) and 51 (Dismissal of Tenured Teachers).
Cleveland Board of Education v. Loudermill, 105 S.Ct. 1487(1985).

CROSS REF.: 5:290 (Employment Termination and Suspensions), 6:20 (School Year Calendar and Day)

Professional Personnel

Resignations

Tenured teachers may resign at any time with consent of the School Board or by written notice sent to the School Board Secretary at least 30 days before the intended date of resignation. However, no teacher may resign during the school term in order to accept another teaching position without the consent of the School Board.

LEGAL REF.: 105 ILCS 5/24-14.
Park Forest Heights School Dist. v. State Teacher Certification Bd., 842 N.E.2d 1230 (Ill.App.1, 2006).

Professional Personnel

Substitute Teachers

The Superintendent may employ substitute teachers as necessary to replace teachers who are temporarily absent.

A substitute teacher must hold either a valid teaching or substitute license and may teach in the place of a licensed teacher who is under contract with the Board. There is no limit on the number of days that a substitute teacher may teach in the District during the school year, except as follows:

1. A substitute teacher holding a substitute license may teach for any one licensed teacher under contract with the District only for a period not to exceed 90 school days.
2. A teacher holding a Professional Educator License or Educator License with Stipulations may teach for any one licensed teacher under contract with the District only for a period not to exceed 120 school days.

The Illinois Teachers' Retirement System (TRS) limits a substitute teacher who is a TRS annuitant to substitute teaching for a period not to exceed 100 paid days or 500 paid hours in any school year, unless the subject area is one where the Regional Superintendent has certified that a personnel shortage exists.

The School Board establishes a daily rate of pay for substitute teachers. Substitute teachers receive only monetary compensation for time worked and no other benefits.

Emergency Situations

A substitute teacher may teach when no licensed teacher is under contract with the Board if the District has an emergency situation as defined in State law. During an emergency situation, a substitute teacher is limited to 30 calendar days of employment per each vacant position. The Superintendent shall notify the appropriate Regional Office of Education within 5 business days after the employment of a substitute teacher in an emergency situation.

LEGAL REF.: 105 ILCS 5/21B-20(3) and 24-5.
23 Ill. Admin. Code § 25.520.

CROSS REF.: 5:30 (Hiring Process and Criteria)

Professional Personnel

Administrative Procedure - Substitute Teachers

Qualifications of the Substitute Teacher

Substitute teachers are required to have a valid State of Illinois teaching certificate in the field(s) in which they substitute or a substitute teacher certificate.

Substitute teachers shall have the following credentials on file with the District Administrative Office.

- a. Completed application for employment,
- b. Certificate of authorization from the Regional Superintendent or Suburban Cook County Intermediate Service Center, whichever is appropriate (105 ILCS 5/21-9(c), amended by HB 5863, eff. 1-1-2011),
- c. State and federal tax forms, and
- d. Form I-9.

The District's equal employment opportunity policy applies to substitute teachers.

Superintendent's Responsibilities

1. The Superintendent or designee maintains a list of substitute teachers in the District Administrative Office.
2. The Superintendent or designee verifies the certificate of authorization with the list of registered substitute teachers maintained by the Regional Superintendent or Suburban Cook County Intermediate Service Center, whichever is applicable.

Duties of the Substitute Teacher

1. Keep and leave a status report of lesson plans completed and leave a report of the group's accomplishments.
2. Manage all recording of assignments and grading during the time worked as outlined in the applicable collective bargaining agreement or duties for long term substitute teachers.
3. Prepare plans for the following day's work.
4. Follow the regular teacher's lesson plans.
5. Leave the classroom and its equipment in order.
6. Leave a note reporting any unusual experience with a student during the day.
7. Hold as confidential any information concerning staff, parents, or students.
8. Be consistent in dealing with others; emphasize the positive, yet be firm and sympathetic.
9. When notified in time, arrive at least 20 minutes before the school period starts, and remain on duty at least 20 minutes after dismissal time.
10. Check with the office when reporting for substitute duty, and check with the office before leaving to see if you will be needed the next day.
11. If temporarily or permanently withdrawing from substitute work, so inform the central office.
12. Report any issues you encounter to the Building Principal.

Compensation

1. The rate of pay for substitute teachers is established from time-to-time by the School Board.
2. Substitute teachers are employed and paid for only days actually worked. Substitutes are not paid for holidays, vacation days, or days of illness.

Assignment Procedures

Substitute teachers will be called as needed from the office of the Building Principal. Only teachers who are on the substitute teacher list, as compiled by the Superintendent or designee, may be called for substitute work. Substitute teachers are given as much notice as possible; however emergency situations will be called the morning they are needed.

District Responsibilities

The person arranging for a substitute teacher's service shall provide each substitute with the following:

1. District map with locations of District schools indicated,
2. District and school building emergency procedures, location of emergency equipment, etc.,
3. School directory,
4. School calendar and handbook, and
5. District student discipline policy and procedures.

LEGAL REF.: 105 ILCS 5/21-9.
23 Ill.Admin.Code §1.790.

Professional Personnel

Exhibit - Unsatisfactory Performance Report for Substitute Teachers

To be submitted to the Building Principal. Please print.

Substitute's name _____ ID # _____

School _____ Assignment _____

Classroom teacher's name _____ Date of substitution _____

Areas of concern with a brief explanation:

- Arrived late and/or left early _____
- Inappropriate dress _____
- Improper language _____
- Lack of classroom control _____
- Accurate records not kept _____
- Failed to provide written feedback _____
- Physical aggression against student _____
- Received parental complaint _____
- Did not follow lesson plans or routines _____
- Other _____

Reported by: Student Staff Both

In the future, please do not assign this substitute to:

- Classroom/Teacher's name _____
- Grade level _____
- Building _____
- In any capacity _____

Building Principal's signature _____ Date _____

Professional Personnel

Maintaining Student Discipline

Maintaining an orderly learning environment is an essential part of each teacher's instructional responsibilities. A teacher's ability to foster appropriate student behavior is an important factor in the teacher's educational effectiveness. The Superintendent shall ensure that teachers, other certificated employees, and persons providing a student's related service: (1) maintain discipline in the schools as required in The School Code, and (2) follow the School Board policies and administrative procedures on student conduct, behavior, and discipline.

When a student's behavior is unacceptable, the teacher should first discuss the matter with the student, if appropriate. If the unacceptable behavior continues, the teacher should consult with the Building Principal and/or discuss the problem with the parent(s)/guardian(s). A teacher may remove any student from the learning setting whose behavior interferes with the lessons or participation of fellow students. A student's removal must be in accordance with Board policy and administrative procedures.

Teachers shall not use disciplinary methods which may be damaging to students, such as swearing, ridicule, sarcasm, or excessive temper displays. Corporal punishment (including hitting, slapping, shaking, paddling, throwing of objects, or prolonged maintenance of a student in physically painful positions, and intentional infliction of bodily harm) may not be used. Teachers may use reasonable force as needed to keep students, school personnel, and others safe, or for self-defense or defense of property. Reasonable use of force does not include any physical contact to the head and neck area unless a life threatening situation exists.

LEGAL REF.: 105 ILCS 5/24-24.
23 Ill. Admin. Code §1.280.

CROSS REF.: 2:150 (Committees), 7:190 (Student Discipline), 7:230
(Misconduct by Students with Disabilities)

Professional Personnel

Suspension

Suspension Without Pay

The School Board may suspend without pay (1) a professional employee pending a dismissal hearing, or (2) a teacher as a disciplinary measure for up to 30 employment days for misconduct that is detrimental to the School District. Administrative staff members may not be suspended without pay as a disciplinary measure. The superintendent may also suspend a District employee per the conditions specified in the Agreement between the Board of Education Winthrop Harbor School District No. 1 and the Winthrop Harbor Council, Lake County Federation of Teachers, Local 504, IFT-AFT/AFL-CIO.

Misconduct that is detrimental to the School District includes:

- Insubordination, including any failure to follow an oral or written directive from a supervisor
- Violation of Board policy or Administrative Procedure
- Conduct that disrupts or may disrupt the educational program or process
- Conduct that violates any State or federal law that relates to the employee's duties
- Other sufficient causes

The Superintendent or designee is authorized to issue a pre-suspension notification to a professional employee. This notification shall include the length and reason for the suspension as well as the deadline for the employee to exercise his or her right to appeal the suspension to the Board or Board-appointed hearing examiner before it is imposed. At the request of the professional employee within 5 calendar days of receipt of a pre-suspension notification, the Board or Board-appointed hearing examiner will conduct a pre-suspension hearing. The Board or its designee shall notify the teacher of the date and time of the hearing. At the pre-suspension hearing, the teacher or his/her representative may present evidence. If the employee does not appeal the pre-suspension notification, the Superintendent or designee shall report the action to the Board at its next regularly scheduled meeting.

Suspension With Pay

The School Board or Superintendent or designee may suspend a professional employee with pay (1) during an investigation into allegations of disobedience or misconduct whenever the employee's continued presence in his or her position would not be in the School District's best interests, (2) as a disciplinary measure for misconduct that is detrimental to the School District as defined above, or (3) pending a Board hearing to suspend a teacher without pay.

The Superintendent shall meet with the professional employee to present the allegations and give the professional employee an opportunity to refute the charges. The professional employee will be told the dates and times the suspension will begin and end.

Any criminal conviction resulting from the investigation or allegations shall require the employee to repay to the District all compensation and the value of all benefits received by

the employee during the suspension. The Superintendent will notify the employee of this requirement when the employee is suspended.

LEGAL REF.: 105 ILCS 5/24-12.

Auer v. Robbins, 117 S.Ct. 905 (1997); 29 C.F.R. § 541.3.

Cleveland Board of Education v. Loudermill, 105 S.Ct. 1487, *on remand* 763 F.2d 202 (6th Cir. 1985), *on remand* 651 F.Supp.92 (N.D. Ohio 1986), *aff'd* by 844 F.2d 304 (6th Cir. 1988), *cert. denied* 488 U.S. 946 (1988).

Jones v. Board of Education of Township High School District No. 211, 651 F. Supp. 760 (N.D. Ill. 1986).

Barszcz v. Board of Trustees of Community College District No. 504, Cook County, 400 F.Supp. 675 (N.D. Ill. 1975), *aff'd* by 539 F.2d 715 (7th Cir. 1976), *cert. dismissed* by 429 U.S. 1080 (1977).

Spinelli v. Immanuel Lutheran Evangelical Congregation, Inc., 515 N.E.2d 1222 (1987).

Kamrath v. Board of Education of School District 150, 515 N.E.2d 1222 (1987).

Massie v. East St. Louis School District No. 189, 561 N.E.2d 246 (5th Dist. 1990).

Kearns v. Board of Education of North Palos Elementary School District No. 117, 392 N.E.2d 148 (1st Dist. 1979).

Professional Personnel

Administrative Procedure - Suspensions

Suspension Without Pay

Actor	Action
School Board or designee	<p>Provide the professional employee with a written pre-suspension notification that includes:</p> <ol style="list-style-type: none"> a. the reason(s) for the proposed suspension; b. the date(s) and duration of the proposed suspension; c. how the employee may request a hearing; and d. the employee's rights to be represented, present witnesses on his/her behalf, and cross-examine any witness who testifies against him/her.
Professional Employee	<p>If a hearing is desired, request within 5 calendar days of receipt of the pre-suspension notification, a hearing before the School Board.</p>
School Board or designee	<p>If a hearing is requested:</p> <ol style="list-style-type: none"> 1. Promptly schedule a hearing and give the employee written notification of its date, time, and place at least 5 calendar days before the hearing. This notification shall set forth the procedure to be followed at the hearing as stated below. <ol style="list-style-type: none"> a. The hearing shall be in closed session. b. The professional employee may be represented by a person of the employee's choice. c. The school officials and the employee may make short opening statements. d. The school officials shall present their evidence in written form. e. After the school officials conclude their evidentiary presentation, the employee may present evidence to refute the charges orally or in writing. f. Each party shall be afforded an opportunity to cross-examine all witnesses who testify and to examine all written evidence presented. <p>The Board may receive all relevant oral and written evidence without regard to the legal rules of evidence, but shall consider the weight of the evidence in making a determination.</p>

Actor	Action
	<ul style="list-style-type: none"> h. The school officials and the employee may make closing statements at the conclusion of the hearing. i. The hearing must be recorded either on audio or video tape. <p>2. Appoint a hearing officer, if desired.</p>
School Board or Hearing Officer, and Professional Employee	<p>Participate in hearing.</p> <p>The hearing officer, if one was used, shall prepare a written summary of the evidence for the School Board.</p>
School Board	<p>Decide whether to suspend the professional employee. If a hearing officer was used, the School Board may uphold, modify, or reverse the hearing officer's recommendation. If the teacher is not suspended, his or her personnel record shall be expunged of any notices or material relating to the suspension.</p>

Suspension With Pay

Actor	Action
Superintendent or designee	<ul style="list-style-type: none"> 1. Inform the professional employee of a proposed suspension with pay by written or oral notice, which shall specify the reasons for the suspension. If the notice is oral, give written notice as soon as reasonable. 2. Meet with the employee before the proposed suspension to discuss the reasons for the suspension. If the Superintendent or designee cannot, for reasonable cause, meet with the employee before the suspension, the Superintendent or designee shall attempt such a meeting after the suspension begins. 3. Give the professional employee written confirmation of the suspension as soon as is reasonably possible.

Professional Personnel

Leaves of Absence

Each of the provisions in this policy applies to all professional personnel to the extent that it does not conflict with an applicable collective bargaining agreement or individual employment contract or benefit plan; in the event of a conflict, such provision is severable and the applicable bargaining agreement or individual agreement will control.

Sick and Bereavement Leave

Each full-time professional staff member is granted sick leave each school year at full pay according to the terms and conditions specified in the Agreement between the Board of Education Winthrop Harbor School District No. 1 and the Winthrop Harbor Council, Lake County Federation of Teachers, Local 504, IFT-AFT/AFL-CIO.

Sick leave is defined in State law as personal illness, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, or placement for adoption.

As a condition for paying sick leave after 3 days absence for personal illness or 30 days for birth or as the Board or Superintendent deem necessary in other cases, the Board or Superintendent may require that the staff member provide a certificate from: (1) a physician licensed in Illinois to practice medicine and surgery in all its branches, (2) a chiropractic physician licensed under the Medical Practice Act, (3) an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, (4) a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (5) if the treatment is by prayer or spiritual means, a spiritual adviser or practitioner of the employee's faith. If the Board or Superintendent requires a certificate during a leave of less than 3 days for personal illness, the District shall pay the expenses incurred by the employee.

The use of paid sick leave for adoption or placement for adoption is limited to 30 days unless a longer leave is provided in an applicable collective bargaining agreement. The Superintendent may require that the employee provide evidence that the formal adoption process is underway.

Child Bereavement Leave

State law allows a maximum of 10 unpaid work days for eligible employees (Family and Medical Leave Act of 1993, 20 U.S.C. §2601 et seq.) to take child bereavement leave. The purpose, requirements, scheduling, and all other terms of the leave are governed by the Child Bereavement Leave Act. Child bereavement leave allows for: (1) attendance by the bereaved staff member at the funeral or alternative to a funeral of his or her child, (2) making arrangements necessitated by the death of the staff member's child, or (3) grieving the death of the staff member's child, without any adverse employment action.

The leave must be completed within 60 days after the date on which the employee received notice of the death of his or her child. However, in the event of the death of more than one child in a 12-month period, an employee is entitled to up to a total of six weeks of bereavement leave during the 12-month period, subject to certain restrictions under State and federal law. Other existing forms of leave may be substituted for the leave provided in the Child Bereavement Leave Act. This policy does not create any right for an employee to take child bereavement leave that is inconsistent with the Child Bereavement Leave Act.

Sabbatical Leave

Sabbatical leave may be granted in accordance with Agreement between the Board of Education Winthrop Harbor School District No. 1 and the Winthrop Harbor Council, Lake County Federation of Teachers, Local 504, IFT-AFT/AFL-CIO.

Personal Leave

Professional staff members are granted two personal leave days per year. A personal leave day is defined as a day to allow professional personnel time to conduct personal business (but not vacation, travel, or work stoppage), which is impossible to schedule at a time other than during a school day. Any unused personal leave day in a school year will be credited to the cumulative sick leave in accordance with the terms and conditions specified in the Agreement between the Board of Education Winthrop Harbor School District No. 1 and the Winthrop Harbor Council, Lake County Federation of Teachers, Local 504, IFT- AFT/AFLCIO.

The use of a personal day is subject to the following conditions:

1. Except in cases of emergency or unavoidable situations, personal leave requests should be submitted to the Building Principal 3 days in advance of the requested date.
2. No personal leave days may be used immediately before or immediately after a holiday unless the Superintendent grants prior approval.
3. Personal leave may not be used in increments of less than one-half day.
4. Personal leave days are subject to a substitute's availability.
5. Personal leave days may not be used during the first and/or last 5 days of the school year.
6. Personal leave days may not be used on in-service and/or institute training days.
7. Personal leave may not be used by more than 10% of the teaching staff in each building at the same time.

Leave of Absence Without Pay

The School Board may grant a leave of absence without pay to teachers and classified staff members who have rendered satisfactory service and desire to return to employment in a similar capacity at a time determined by the School Board (see *Agreement* for additional information).

Each leave of absence shall be of the shortest possible duration required to meet the leave's purpose consistent with a reasonable continuity of instruction for students.

Leave to Serve as an Election Judge

Any staff member who was appointed to serve as an election judge under State law may, after giving at least 20-days' written notice to the District, be absent without pay for the purpose of serving as an election judge. The staff member is not required to use any form of paid leave to serve as an election judge. No more than 10% of the District's employees may be absent to serve as election judges on the same election day.

Child-Rearing Leave

The School Board shall grant a professional staff member's request for a non-paid, childrearing leave, not to exceed the balance of the school year plus one additional school year (but in no event shall such leave exceed 3 semesters), provided the request complies with this policy. Nothing in this policy shall prohibit a professional staff member from utilizing sick days as provided in this policy.

A teacher must request, if possible, a child-rearing leave by notifying the Superintendent in writing no later than 90 days before the requested leave's beginning date. The request should

include the proposed leave dates. The leave shall end before a new school year begins or before the first day of school after winter recess.

Subject to the insurance carrier's approval, the teacher may maintain insurance benefits at his or her own expense during a child-rearing leave.

A professional staff member desiring to return before the leave's expiration will be assigned to an available vacancy for which the teacher is qualified, subject to scheduling efficiency and instruction continuity.

Leaves for Service in the Military

Leaves for service in the U.S. Armed Services or any of its reserve components and the National Guard, as well as re-employment rights, will be granted in accordance with State and federal law. A professional staff member hired to replace one in military service does not acquire tenure.

General Assembly

Leaves for service in the General Assembly, as well as re-employment rights, will be granted in accordance with State and federal law. A professional staff member hired to replace one in military service or in the General Assembly does not acquire tenure.

Leave for Employment in Department of Defense

The Board may grant teachers a leave of absence to accept employment in a Department of Defense overseas school.

School Visitation Leave

An eligible professional staff member is entitled to 8 hours during any school year, no more than 4 hours of which may be taken on any given day, to attend school conferences or classroom activities related to the teacher's child, if the conference or activity cannot be scheduled during non-work hours. Professional staff members must first use all accrued vacation leave, personal leave, compensatory leave, and any other leave that may be granted to the professional staff member, except sick and disability leave.

The Superintendent shall develop administrative procedures implementing this policy consistent with the School Visitation Rights Act.

Leaves for Victims of Domestic or Sexual Violence

An unpaid leave from work is available to any staff member who: (1) is a victim of domestic or sexual violence, or (2) has a family, or household member who is a victim of domestic or sexual violence whose interests are not adverse to the employee as it relates to the domestic or sexual violence. The unpaid leave allows the employee to seek medical help, legal assistance, counseling, safety planning, and other assistance without suffering adverse employment action.

The Victims' Economic Security and Safety Act, governs the purpose, requirements, scheduling, and continuity of benefits, and all other terms of the leave. Accordingly, an employee is entitled to a total of 12 work weeks of leave during any 12-month period. Neither the law nor this policy creates a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, the federal Family and Medical Leave Act of 1993 (29 U.S.C. § 2601, et seq.).

Leaves to Serve as an Officer or Trustee of a Specific Organization

Upon request, the School Board will grant: (1) an unpaid leave of absence to an elected officer of a State or national teacher organization that represents teachers in collective bargaining negotiations, (2) 20 days of paid leave of absence per year to a trustee of the Teachers' Retirement System to attend meetings and seminars as described in 105 ILCS 5/24-6.3, and (3) a paid leave of absence for the local association president of a State teacher association that is an exclusive bargaining agent in the District, or his or her designee, to attend meetings, workshops, or seminars as described in 105 ILCS 5/24-6.2.

LEGAL REF.: 10 ILCS 5/13-2.5
 20 ILCS 1805/30.1 et seq.
 820 ILCS 154/
 105 ILCS 5/24-6, 5/24-6.1, 5/24-6.2, 5/24-6.3, 5/24-13, and 5/24-13.1.
 820 ILCS 147/ and 180/.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:330 (Educational Support Personnel - Sick Days, Vacation, Holidays, and Leaves)

Professional Personnel

Administrative Procedure - School Visitation Leave

Eligible employees

These administrative procedures apply to both professional staff and educational service personnel. An employee is eligible for a school visitation leave if he or she has worked for the District at least 6 consecutive months immediately before the request and works at least one-half of the full-time equivalent position. Periods when school is not in session will not count as a break in consecutive service.

School Conference and Activity Leave

An employee is entitled to 8 hours during any school year, no more than 4 hours of which may be taken on any given day, to attend school conferences or classroom activities related to the employee's child, if the conference or activity cannot be scheduled during non-work hours. Employees must first use all accrued vacation leave, personal leave, compensatory leave, and any other leave that may be granted to the employee, except sick and disability leave.

Request

An employee must request a school conference and activity leave in writing at least 7 days in advance; in an emergency situation, 24 hours notice is required. The employee must consult with the employer to schedule the leave so as to minimize disruption. A leave request may be denied if granting the leave would result in more than 5% of the work force, or work force shift, taking leave at the same time.

Compensation

A school visitation leave is unpaid. The District will attempt, however, to give the employee the opportunity to make-up the time taken for such a leave. The employee taking a visitation leave will not lose any benefits.

Verification

An employee returning from a school visitation leave must provide the Building Principal with verification of the visitation from the school administrator of the school visited. Failure to provide this verification within 2 working days of the visitation will subject the employee to the standard disciplinary procedures for unexcused absences from work.

LEGAL REF.: 820 ILCS 147.

Professional Personnel

Student Teachers

The Superintendent is authorized to accept students from university-approved teacher-training programs to do student teaching in the District. No individual who has been convicted of a criminal offense that would subject him or her to license suspension or revocation pursuant to Section 5/21B-80 of the School Code or who has been found to be the perpetrator of sexual or physical abuse of a minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987 is permitted to student teach.

Before permitting an individual to student teach, or begin a required internship in the District, the Superintendent or designee shall ensure that:

1. The District performed a *105 ILCS 5/10-21.9(g) Check* as described below, and,
2. The individual furnished evidence of physical fitness to perform assigned duties and freedom from communicable disease pursuant to 105 ILCS 5/24-5.2.

A complete 105 ILCS 5/21.9(g) Check shall include:

1. Fingerprint-based checks through (a) the Illinois State Police (ISP) for criminal history records information (CHRI) pursuant to the Uniform Conviction Information Act (20 ILCS 2635/1), and (b) the FBI national crime information databases pursuant to the Adam Walsh Child Protection and Safety Act (P.L. 109-248);
2. A check of the Illinois Sex Offender Registry (see the Sex Offender Community Notification Law (730 ILCS 152/101 et seq.); and
3. A check of the Illinois Murderer and Violent Offender Against Youth Registry (Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105).

The School Code requires each individual student teaching or beginning a required internship to provide the District with written authorization for, and pay the costs of, his or her 105 ILCS 5/21.9(g) Check (including any applicable vendor's fees). Upon receipt of this authorization and payment, the Superintendent or designee will submit the student teacher's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Department of State Police, to the Department of State Police. The Superintendent or designee will provide each student teacher with a copy of his or her report.

Assignment

The Superintendent or designee shall be responsible for coordinating placements of all student teachers within the District. Student teachers should be assigned to supervising teachers whose qualifications are acceptable to the District and the students' respective colleges or universities.

LEGAL REF.: Adam Walsh Child Protection and Safety Act, P.L. 109-248.
Uniform Conviction Information Act, 20 ILCS 2635/1.
105 ILCS 5/10-21.9, 5/10-22.34 and 5/24-5.

CROSS REF.: 5:190 (Teacher Qualifications), 4:175 (Convicted Child Sex Offender; Screening; Notifications)

Educational Support Personnel

Employment At-Will, Compensation, and Assignment

Employment At-Will

Unless otherwise specifically provided, District employment is at-will, meaning that employment may be terminated by the District or employee at any time for any reason, other than a reason prohibited by law, or no reason at all. Nothing in School Board policy is intended or should be construed as altering the employment at-will relationship.

Exceptions to employment at-will may include employees who are employed annually, have an employment contract, or are otherwise granted a legitimate interest in continued employment. The Superintendent is authorized to make exceptions to employing non-licensed employees at-will but shall maintain a record of positions or employees who are not at-will.

Compensation

The School Board will determine salary and wages for educational support personnel. Increments are dependent on evidence of continuing satisfactory performance. An employee covered by the overtime provisions in State or federal law shall not work overtime without prior authorization from the employee's immediate supervisor. Educational support personnel are paid every 2 weeks.

Assignment

The Superintendent is authorized to make assignments and transfers of educational support personnel.

LEGAL REF.: 105 ILCS 5/10-22.34 and 5/10-23.5.
Griggsville-Perry Community Unit School Dist. No. 5 v. Illinois Educ. Labor Relations Bd., 963 N.E.2d 332 (Ill.App.4, 2013)
Cook v. Eldorado Community Unit School District, No. 03-MR-32 (Ill.App.5, 2004).
Duldulao v. St. Mary of Nazareth Hospital, 483 N.E. 2d 956 (1st Dist. Ill.1985), *aff'd in part and remanded*, 505 N.E.2d 314 (Ill. 1987).
Kaiser v. Dixon, 468 N.E. 2d 822 (Ill. App. 2d Dist. 1984).

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment) 5:35 (Compliance with the Fair Labor Standards Act), 5:290 (Employment Termination and Suspensions), 5:310 (Compensatory Time-Off)

Educational Support Personnel

Duties and Qualifications

All support staff: (1) must meet qualifications specified in job descriptions, (2) must be able to perform the essential tasks listed and/or assigned, and (3) are subject to Board policies as they may be changed from time-to-time at the Board's sole discretion.

Paraprofessionals and Teacher Aides

Paraprofessionals provide supervised instructional support. Service as a paraprofessional requires an educator license with stipulations endorsed for a paraprofessional educator unless a specific exemption is authorized by the Illinois State Board of Education (ISBE).

Individuals with only non-instructional duties (e.g., providing technical support for computers, providing personal care services, or performing clerical duties) are not paraprofessionals, and the requirements in this section do not apply. In addition, individuals completing their clinical experiences and/or student teaching do not need to comply with this section, provided their service otherwise complies with ISBE rules.

Noncertificated Personnel Working with Students and Performing Non-Instructional Duties

Noncertificated personnel, including paraprofessionals and teacher aides, may be used:

1. For supervising study halls, long distance teaching reception areas used incident to instructional programs transmitted by electronic media (e.g., computers, video, and audio), detention and discipline areas, and school-sponsored extracurricular activities;
2. As supervisors, chaperones, or sponsors for non-academic school activities; or
3. For non-teaching duties not requiring instructional judgment or student evaluation.

Nothing in this policy prevents a noncertificated person from serving as a guest lecturer or resource person under a certificated teacher's direction and with the administration's approval.

Coaches and Athletic Trainers

Athletic coaches and trainers shall have the qualifications required by any association in which the School District maintains a membership. Regardless of whether the athletic activity is regulated by an association, the Superintendent or designee shall ensure that each athletic coach: (1) is knowledgeable regarding coaching principles, (2) has first aid training, and (3) is a trained Automated External Defibrillator user according to rules adopted by the Illinois Department of Public Health. Anyone performing athletic training services shall be licensed under the Illinois Athletic Trainers Practice Act, be an athletic trainer aide performing care activities under the on-site supervision of a licensed athletic trainer, or otherwise be qualified to perform athletic trainer activities under State law.

Bus Drivers

All school bus drivers must have a valid school bus driver permit. The Superintendent or designee shall inform the Illinois Secretary of State, within 30 days of being informed by a school bus driver, that the bus driver permit holder has been called to active duty. New bus drivers and bus drivers who are returning from a lapse in their employment are subject to the requirements contained in Board policy 5:30, *Hiring Process and Criteria* and Board policy 5:285, *Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers*.

LEGAL REF.:

34 C.F.R. §§ 200.58 and 200.59.
105 ILCS 5/10-22.34, 5/10-22.34a, 5/10-22.34b.
625 ILCS 5/6-104 and 5/6-106.1.
23 Ill.Admin.Code §§1.630 and 25.510

CROSS REF.:

4:110 (Transportation), 4:170 (Safety), 5:30 (Hiring Process and Criteria), 5:35 (Compliance with the Fair Labor Standards Act), 5:285 (Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers), 6:250 (Community Resource Persons and Volunteers)

Educational Support Personnel

Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

The District shall adhere to State and federal law and regulations requiring a drug and alcohol testing program for school bus and commercial vehicle drivers. The Superintendent or designee shall manage a program to implement State and federal law defining the circumstances and procedures for testing.

LEGAL REF.: 625 ILCS 5/6-106.1 and 5/6-106.1c.
49 U.S.C. §31306, Alcohol and Controlled Substances Testing (Omnibus Transportation Employee Testing Act of 1991, P.L. 102-143).
49 C.F.R. Parts 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Programs), 382 (Controlled Substance and Alcohol Use and Testing), and 395 (Hours of Service of Drivers).

CROSS REF.: 4:110 (Transportation), 5:30 (Hiring Process and Criteria), 5:280 (Duties and Qualifications)

Educational Support Personnel

Administrative Procedure - Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

The District's drug and alcohol testing program shall apply to all individuals in positions that require a commercial driver's license and those that require an Illinois school bus driver permit. This includes casual, intermittent, or occasional drivers, leased drivers and independent owner-operator contractors, as well as full-time, regularly employed drivers. The Superintendent or designee will identify which positions are covered by the various provisions of this procedure.

Pre-Employment Tests

A pre-employment drug test shall be required of an applicant only after he/she has been offered the position.

Drug tests shall be conducted before the first time a driver performs any safety-sensitive function for the District. Safety-sensitive functions include all on-duty functions performed from the time a driver begins work or is required to be ready to work until he/she is relieved from work and all responsibility for performing work. Exceptions may be made for drivers who have participated in the drug testing program required by law within the previous 30 days, provided that the District has been able to make all verifications required by law.

Pre-employment testing shall also be required of employees returning to work after a layoff period if the employee was removed from the random testing pool. If the employee remains in the random testing pool, additional testing shall not be necessary.

Controlled Substance Use

Drivers shall inform their supervisors if at any time they are using a drug that their physician has prescribed for therapeutic purposes. Drivers using a Schedule I controlled substance cannot perform safety-sensitive functions. Drivers using a non-Schedule I controlled substance may continue to perform safety-sensitive functions only if a licensed medical practitioner who is familiar with the driver's medical history has advised the driver that the substance will not adversely affect his/her ability to safely operate a commercial motor vehicle. If the District has actual knowledge that a driver has used a controlled substance, it shall not permit the driver to perform or continue to perform a safety-sensitive function.

Pre-Duty Use of Alcohol

No driver shall perform safety-sensitive functions within four hours after using alcohol. If the District has actual knowledge that a driver has used alcohol within four hours, it shall not permit the driver to perform or continue to perform safety-sensitive functions.

On-Duty Use of Alcohol

No driver shall use alcohol while performing safety-sensitive functions. If the District has actual knowledge that a driver is using alcohol while performing safety-sensitive functions, it shall not permit the driver to perform or continue to perform safety-sensitive functions.

Post-Accident Tests

Alcohol tests shall be conducted as soon after an accident as practicable on any surviving driver:

1. Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
2. Who receives a citation within eight hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
 - a. Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - b. One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Controlled substance tests shall be conducted as soon after an accident as practicable on any surviving driver:

1. Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved loss of human life;
2. Who receives a citation within 32 hours of occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
 - a. Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - b. One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Drivers shall make themselves readily available for testing, absent the need for immediate medical attention.

No driver required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

If an alcohol test is not administered within two hours following the accident or if a drug test is not administered within 32 hours following the accident, the District shall prepare and maintain records explaining why the test was not conducted. Tests will not be given if not administered within eight hours after the accident for alcohol or within 32 hours for drugs.

Tests conducted by authorized federal, State, or local officials shall fulfill post-accident testing requirements provided they conform to applicable legal requirements and are obtained by the District. Breath and blood tests meet the requirements of alcohol testing. A urine test meets the requirements of a controlled substances test.

Random Tests

Alcohol and drug tests shall be conducted on a random basis at unannounced times throughout the year. The number of random alcohol and drug tests shall be at least equal to those required by federal regulations. Drivers shall be selected by a scientifically valid random process, and each driver shall have an equal chance of being tested each time selections are made. Tests for alcohol shall be conducted just before, during, or just after the performance of safety-sensitive functions.

Employees off work due to leaves, vacation, and layoffs shall be informed that they remain subject to random testing. Employees drawn for such testing shall be notified and tested as soon as practicable after they return to duty.

Probable Cause Tests (Applicable to School Bus Driver Permit Holders)

A driver who has received a Uniform Traffic Ticket while in control of a school bus or any other vehicle owned or operated by or for the District, when the vehicle is being used over a regularly

scheduled route for the transportation of persons enrolled as students in grade 12 or below, in connection with any activity of the District, may be tested for alcohol. To justify an alcohol test, a police officer must have probable cause to believe that the driver has consumed any amount of an alcoholic beverage based upon evidence of the driver's physical condition or other first hand knowledge of the police officer.

Upon receipt of a law enforcement officer's sworn report that the test result was positive or that the driver refused to be tested, the Secretary of State will notify both the permit holder and the District of the sanction (sanction is effective on the 46th day following the date notice was given).

Reasonable Suspicion Tests (Applicable to School Bus Driver Permit Holders)

An alcohol or drug test shall be conducted if a supervisor or District official trained in accordance with law has reasonable suspicion that a driver has violated the District's alcohol or drug prohibitions. This reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The observations may include indications of the chronic and withdrawal effects of controlled substances.

Alcohol tests are authorized for reasonable suspicion only if the required observations are made during, just before, or just after the period of the work day when the driver must comply with alcohol prohibitions. An alcohol test may not be conducted by the supervisor or District official who determines that reasonable suspicion exists to conduct such a test. If an alcohol test is not administered within two hours following a determination of reasonable suspicion, the District shall prepare and maintain a record explaining why the alcohol test was not promptly administered. If an alcohol test is not administered within eight hours following a determination of reasonable suspicion, the District shall cease attempts to administer the alcohol test and shall state in the record the reasons for not administering the test. Notwithstanding the absence of a reasonable suspicion alcohol test, no driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while he or she is under the influence of or impaired by alcohol.

A supervisor or District official who makes observations leading to a controlled substance reasonable suspicion test shall make a written record of his/her observations within 24 hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

The Superintendent or designee shall ensure that an employee under reasonable suspicion is transported to the designated collection or testing site.

The Superintendent or designee shall notify the Secretary of State, in a manner and form prescribed by the Secretary, of the result of a reasonable suspicion test when: (i) the test indicates an alcohol concentration greater than 0.00; (ii) the test indicates a positive result on a National Institute on Drug Abuse five-drug panel utilizing the federal standards set forth in 49 C.F.R. 40.87; or (iii) when a driver refuses testing. The notification to the Secretary must be submitted within 48 hours of the refusal of testing or the employer's receipt of the test results.

Enforcement for Non-School Bus Driver Permit Holders

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. If the District has actual knowledge that a driver has an alcohol concentration of 0.04 or greater, it shall not permit the driver to perform or continue to perform safety-sensitive functions.

Federal laws require that any driver who refuses to submit to a post-accident, random, reasonable suspicion test, or follow-up test as described below, shall not perform or continue to perform safety-sensitive functions. The District shall not permit a driver who refuses to submit to such tests to perform or continue to perform safety-sensitive functions.

A driver who is tested and found to have an alcohol concentration of .02 or greater, but less than 0.04, may not perform or continue to perform safety-sensitive functions, including driving a commercial motor vehicle, until the start of the driver's next regularly scheduled duty period, but not less than 24 hours after the test was administered.

A driver who tests positive for drugs or an alcohol concentration of 0.04 or greater shall be subject to District disciplinary action up to and including dismissal.

A driver who violates District prohibitions related to drugs and alcohol shall receive from the District the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs available to evaluate and resolve drug and alcohol-related problems. The employee shall be evaluated by a substance abuse professional (SAP) who shall determine what help the driver needs in resolving such a problem. Any SAP who determines that a driver needs assistance shall not refer the driver to a private practice, person, or organization in which he/she has a financial interest, except under circumstances allowed by law.

An employee identified as needing help in resolving a drug or alcohol problem shall be evaluated by a SAP to determine that he/she has properly followed the prescribed rehabilitation program.

Return-to-Duty Tests for Non-School Bus Driver Permit Holders

If a driver who has violated the District's drug or alcohol prohibition is returned to performing safety-sensitive duties, a drug or alcohol test shall be conducted.

The District shall not allow employees whose conduct involved drugs to return to duty in a safety-sensitive function until the return-to-duty drug test produces a verified negative result. The District shall not allow employees whose conduct involved alcohol to return to duty in a safety-sensitive function until the return-to-duty alcohol test indicates an alcohol concentration of 0.02 or less.

Follow-Up Tests for Non-School Bus Driver Permit Holders

A driver who violates the District's drug or alcohol prohibition and is subsequently identified by a SAP as needing assistance in resolving a drug or alcohol problem shall be subject to unannounced follow-up testing as directed by the SAP in accordance with the law. The District must carry out the substance abuse professional's follow-up testing requirements.

Follow-up testing shall consist of at least six tests in the first 12 months following the driver's return to duty. Testing shall not occur beyond 60 months from the date of the driver's return to duty. The substance abuse professional may terminate the follow-up testing if he/she determines that the employee has successfully demonstrated compliance.

Maintenance of Records for Non-School Bus Driver Permit Holders

Employee drug and alcohol test results and records shall be maintained under strict confidentiality and released only in accordance with the law. Upon written request, a driver shall receive copies of any records pertaining to his/her use of drugs or alcohol, including any records pertaining to his/her drug or alcohol tests. Records shall be made available to a subsequent employer or other identified persons only as expressly requested in writing by the driver.

Enforcement for School Bus Driver Permit Holders

In Illinois, a person whose privilege to possess a school bus driver permit has been canceled under 625 ILCS 6-106.1a is not eligible for restoration of the privilege until the expiration of three years from the effective date of the cancellation if the person has refused or failed to complete a test or tests to determine blood alcohol concentration, or has submitted to testing with a blood alcohol concentration of more than 0.00.

The Illinois Secretary of State must suspend a school bus driver permit for a period of three years upon receiving notice that the holder refused to submit to an alcohol or drug test as required by Section 6-106.1c or has submitted to a test required by that Section that disclosed an alcohol concentration of more than 0.00 or disclosed a positive result on a National Institute on Drug Abuse five-drug panel, utilizing federal standards set forth in 49 C.F.R. 40.87.

A driver who tests positive for drugs or is found to have an alcohol concentration of greater than 0.00 shall have their employment terminated.

Notifications

Each driver shall receive educational materials that explain the requirements of the Code of Federal Regulations, Title 49, Part 382, together with a copy of the District's policy and regulations for meeting these requirements. Representatives of employee organizations shall be notified of the availability of this information. The information shall identify all of the following:

1. The person designated by the District to answer drivers' questions about the materials;
2. The categories of drivers who are subject to the Code of Federal Regulations, Title 49, Part 382;
3. Sufficient information about the safety-sensitive functions performed by drivers to make clear what period of the work day the driver is required to comply with Part 382;
4. Specific information concerning driver conduct that is prohibited by Part 382;
5. The circumstances under which a driver will be tested for drugs and/or alcohol under Part 382, including post-accident testing under §382.303(d);
6. The procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results, and ensure that test results are attributed to the correct driver, including post-accident information, procedures and instructions required by §382.303(d);
7. The requirement that a driver submit to drug and alcohol tests administered in accordance with Part 382;
8. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences;
9. The consequences for drivers found to have violated the drug and alcohol prohibitions of Part 382, including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation, and treatment;
10. The consequences for drivers who do not hold a school bus driver permit found to have an alcohol concentration of 0.02 or greater but less than 0.04;
11. The consequences for drivers who hold a school bus driver permit found to have an alcohol concentration over 0.00;
12. The effects of drugs and alcohol on an individual's health, work, and personal life; signs and symptoms of a drug or alcohol problem (the driver's or a coworker's); and available methods of intervening when a drug or alcohol problem is suspected,

including confrontation, referral to an employee assistance program, and/or referral to management; and

13. Other legal requirements, District policies, and disciplinary consequences related to the use of alcohol and drugs.

Each driver shall sign a statement certifying that he/she has received a copy of the above materials.

Before any driver operates a commercial motor vehicle, the District shall provide him/her with post-accident procedures that will make it possible to comply with post-accident testing requirements.

Before drug and alcohol tests are performed, pursuant to 49 C.F.R. §382, the District shall inform drivers that the tests are required by these regulations.

The District shall notify a driver of the results of a pre-employment drug test if the driver requests such results within 60 calendar days of being notified of the disposition of his/her employment application.

The District shall notify a driver of the results of random, reasonable suspicion, and post-accident drug tests if the test results are verified positive. The District shall also tell the driver which controlled substance(s) were verified as positive.

Educational Support Personnel

Employment Termination and Suspensions

Resignation and Retirement

An employee is requested to provide 2 weeks' notice of a resignation. A resignation notice cannot be revoked once given. An employee planning to retire should notify his or her supervisor at least 2 months before the retirement date.

Non-RIF Dismissal

The District may terminate an at-will employee at any time for any or no reason, but not for a reason prohibited by State or federal law.

Employees who are employed annually or have a contract, or who otherwise have a legitimate expectation of continued employment, may be dismissed: (1) at the end of the school year or at the end of their respective contract after being provided appropriate notice and after compliance with any applicable contractual provisions, or (2) mid-year or mid-contract provided appropriate due process procedures are provided.

The Superintendent is responsible for making dismissal recommendations to the School Board consistent with the Board's goal of having a highly qualified, high performing staff.

Reduction in Force and Recall

The Board may, as necessary or prudent, decide to decrease the number of educational support personnel or to discontinue some particular type of educational support service and, as a result of that action, dismiss or reduce the hours of one or more educational support employees. When making decisions concerning reduction in force and recall, the Board will follow Sections 10-22.34c (outsourcing non-instructional services) and 10-23.5 (procedures) of the School Code, to the extent they are applicable and not superseded by legislation or an applicable collective bargaining agreement.

Final Paycheck

A terminating employee's final paycheck will be adjusted for any unused, earned vacation credit. Employees are paid for all earned vacation. Terminating employees will receive their final pay on the next regular payday following the date of termination, except that an employee dismissed due to a reduction in force shall receive his or her final paycheck on or before the next regular pay date following the last day of employment.

Suspension

Except as provided below, the Superintendent is authorized to suspend an employee without pay as a disciplinary measure, during an investigation into allegations of misconduct or pending a dismissal hearing whenever, in the Superintendent's judgment, the employee's presence is detrimental to the District. A disciplinary suspension shall be with pay: (1) when the employee is exempt from the overtime provisions, or (2) until an employee with an employment contract for a definite term is provided a notice and hearing according to the suspension policy for professional employees.

Any criminal conviction resulting from the investigation or allegations shall require the employee to repay to the District all compensation and the value of all benefits received by the employee during the suspension. The Superintendent will notify the employee of this requirement when the employee is suspended.

LEGAL REF.: 5 ILCS 430 et seq.
105 ILCS 5/10-22.34c and 5/10-23.5.
820 ILCS 105/4a.
Griggsville-Perry Community Unit School Dist. No. 4 v. Illinois Educ. Labor Relations Bd., 963 N.E.2d 332 (Ill.App.4, 2013).

CROSS REF.: 5:240 (Professional Personnel - Suspension), 5:270 (Educational Support Personnel - Employment At-Will, Compensation, and Assignment)

Educational Support Personnel

Schedules and Employment Year

The Superintendent shall supervise a process for setting work schedules and an employment year for educational support employees in accordance with State and federal law, School Board policy, and applicable agreements and shall:

1. Assign each employee one supervisor who will establish a work schedule, including breaks, as required by building or District needs, work load, and the efficient management of human resources;
2. Allow for the ability to respond to changing circumstances by altering work schedules as needed; and
3. Consider the well-being of the employee. The Superintendent's approval is required to establish a flexible work schedule or job-sharing.

Breaks

An employee who works at least 7.5 continuous hours shall receive a 30-minute duty-free meal break that begins within the first five hours of the employee's workday. The District accommodates employees who are nursing mothers according to State and federal law.

LEGAL REF.: Fair Labor Standards Act, 29 U.S.C. §207 et seq.
105 ILCS 5/10-20.14a, 5/10-22.34, and 5/10-23.5.
740 ILCS 137/, Right to Breastfeed Act.
820 ILCS 105/, Minimum Wage Law.
820 ILCS 260/, Nursing Mothers in the Workplace Act.

CROSS REF.: 5:35 (Compliance with the Fair Labor Standards Act)

Educational Support Personnel

Compensatory Time-Off

This policy governs the use of compensatory time-off by employees who: (1) are covered by the overtime provisions of the Fair Labor Standards Act, 29 U.S.C. §201 et seq., and (2) are not represented by an exclusive bargaining representative.

Employees may be given 1-1/2 hours of compensatory time-off in lieu of cash payment for each hour of overtime worked. Other than as provided below, at no time may an employee's accumulated compensatory time-off exceed 240 hours, which represents compensation for 160 hours of overtime. An employee whose work regularly includes public safety, emergency response, or seasonal activities may accumulate a maximum of 480 hours of compensatory time, which represents compensation for 320 hours of overtime. If an employee accrues the maximum number of compensatory time-off hours, the employee: (1) is paid for any additional overtime hours worked, at the rate of one and one-half times the employee's regular hourly rate of pay, and (2) does not accumulate compensatory time-off until the employee uses an equal amount of accrued time-off.

An employee who has accrued compensatory time-off shall be permitted to use such time in at least half-day components provided such requests do not unduly disrupt the District's operations. The employee's supervisor must approve a request to use compensatory time-off.

Upon termination of employment, an employee will be paid for unused compensatory time at the higher of:

1. The average regular rate received by such employee during the last three years of employment; or
2. The final regular rate received by such employee.

Compensatory time-off is time during which the employee is not working and is, therefore, not counted as "hours worked" for purposes of overtime compensation.

Implementation

The Superintendent or designee shall implement this policy in accordance with the FLSA. In the event of a conflict between the policy and the FLSA, the latter shall control.

LEGAL REF.: Fair Labor Standards Act, 29 U.S.C. §201 et seq.; 29 C.F.R. Part 553.

CROSS REF.: 5:35 (Compliance with the Fair Labor Standards Act), 5:185 (Family and Medical Leave), 5:270 (Employment At-Will, Compensation, and Assignment)

Educational Support Personnel

Exhibit - Agreement to Receive Compensatory Time-Off

The School Board has a policy of granting compensatory time-off to non-exempt employees in lieu of overtime pay for time worked in excess of 40 hours in any workweek. I have either received a copy of the policy or been told where it may be found or downloaded. I understand that:

1. I must obtain my supervisor’s express authorization to work overtime before working in excess of 40 hours in any workweek.
2. I will earn compensatory time-off at a rate of not less than one and one-half (1.5) hours for each one hour of overtime worked.
3. I will be allowed to use accrued compensatory time-off within a reasonable period after making a request to use it, provided that my absence would not unduly disrupt operations considering factors like emergency requirements for staff and the availability of qualified substitute staff.
4. My supervisor may require that I use my accrued compensatory time-off within a certain time period, may prohibit my use of accrued compensatory time-off on certain days, may require that I cash out my compensatory time-off after a particular time period, and may otherwise limit my use of compensatory time-off.

I agree to receive compensatory time-off in lieu of overtime pay for time worked in excess of 40 hours in any workweek, and I accept this as a condition of my employment.

Employee Signature

Date

Supervisor Signature (or designee)

Date

Educational Support Personnel

Evaluation

The Superintendent is responsible for designing and implementing a program for evaluating the job performance of each educational support staff member according to standards contained in School Board policies as well as in compliance with State law and any applicable collective bargaining agreement. The standards for the evaluation program shall include, but not be limited to:

1. Each employee shall be evaluated annually, preferably before the annual salary review.
2. The direct supervisor shall provide input.
3. The employee's work quality, promptness, attendance, reliability, conduct, judgment, and cooperation shall be considered.
4. The employee shall receive a copy of the annual evaluation.
5. All evaluations shall comply with State and federal law and any applicable collective bargaining agreement.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:150 (Personnel Records)

Educational Support Personnel

Sick Days, Vacation, Holidays, and Leaves

Each of the provisions in this policy applies to all educational support personnel to the extent that it does not conflict with an applicable collective bargaining agreement or individual employment contract or benefit plan; in the event of a conflict, such provision is severable and the applicable bargaining agreement or individual agreement will control.

Sick and Bereavement Leave

Full or part-time educational support personnel who work at least 600 hours per year receive 10 paid sick leave days per year. Part-time employees will receive sick leave pay equivalent to their regular workday. Unused sick leave shall accumulate to a maximum of 180 days, including the leave of the current year.

Sick leave is defined in State law as personal illness, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, or placement for adoption. The Superintendent and/or designee shall monitor the use of sick leave.

As a condition for paying sick leave after three days absence for personal illness or 30 days for birth or as the Board or Superintendent deem necessary in other cases, the Board or Superintendent may require that the staff member provide a certificate from: (1) a physician licensed in Illinois to practice medicine and surgery in all its branches, (2) a chiropractic physician licensed under the Medical Practice Act, (3) an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, (4) a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (5) if the treatment is by prayer or spiritual means, a spiritual adviser or practitioner of the employee's faith. If the Board or Superintendent requires a certificate during a leave of less than three days for personal illness, the District shall pay the expenses incurred by the employee.

The use of paid sick leave for adoption or placement for adoption is limited to 30 days unless a longer leave is provided in an applicable collective bargaining agreement. The Superintendent may require that the employee provide evidence that the formal adoption process is underway.

Vacation

Twelve-month employees shall be eligible for paid vacation days according to the following schedule:

<u>Length of Employment</u>		<u>Monthly Accumulation</u>	<u>Maximum Vacation Leave Earned Per Year</u>
<u>From:</u>	<u>To:</u>		
Beginning of year 2	End of year 5	0.83 Days	10 Days per year
Beginning of year 6	End of year 15	1.25 Days	15 Days per year
Beginning of year 16	End of year	1.67 Days	20 Days per year

Part-time employees who work at least half-time are entitled to vacation days on the same basis as full-time employees, but the pay will be based on the employee's average number of part-time hours per week during the last vacation accrual year. The Superintendent will determine the procedure for requesting vacation.

Vacation days earned in one fiscal year must be used by the end of the following fiscal year; they do not accumulate. Employees resigning or whose employment is terminated are entitled to the monetary equivalent of all earned vacation.

Holidays

Unless the District has a waiver or modification of the School Code pursuant to Section 2-3.25g or 24-2(b) allowing it to schedule school on a holiday listed below, District employees will not be required to work on:

- New Year's Day
- Martin Luther King Jr.'s Birthday
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Day
- Friday before Easter Sunday

A holiday will not cause a deduction from an employee's time or compensation. The District may require educational support personnel to work on a school holiday during an emergency or for the continued operation and maintenance of facilities or property.

Personal Leave

Full-time educational support personnel have one paid personal leave day per year. The use of a personal day is subject to the following conditions:

1. Except in cases of emergency or unavoidable situations, a personal leave request should be submitted to the Building Principal three days before the requested date.
2. No personal leave day may be used immediately before or immediately after a holiday, or during the first and/or last five days of the school year, unless the Superintendent grants prior approval.
3. Personal leave may not be used in increments of less than one-half day.
4. Personal leave is subject to any necessary replacement's availability.
5. Personal leave may not be used on an in-service training day and/or institute training days.
6. Personal leave may not be used when the employee's absence would create an undue hardship.

Leave to Serve as a Trustee of the Illinois Municipal Retirement Fund

Upon request, the Board will grant 20 days of paid leave of absence per year to a trustee of the Illinois Municipal Retirement Fund in accordance with 105 ILCS 5/24-6.3.

Other Leaves

Educational support personnel receive the following leaves on the same terms and conditions granted professional personnel in Board policy 5:250, *Leaves of Absence*:

1. Leaves for Service in the Military and General Assembly.
2. School Visitation Leave.
3. Leaves for Victims of Domestic or Sexual Violence.
4. Child Bereavement Leave
5. Leave to serve as an election judge.

LEGAL REF.: 20 ILCS 1805/30.1 et seq.
105 ILCS 5/10-20.7b, 5/24-2, and 5/24-6.
820 ILCS 147 and 180/1 et seq.
820 ILCS 154/.
School Dist 151 v. ISBE, 507 N.E.2d 134 (Ill.App.1, 1987); Elder v. School Dist. No.127 1/2, 208 N.E.2d 423 (Ill.App.1, 1965).

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:250 (Professional Personnel - Leaves of Absence)

Instruction

Educational Philosophy and Objectives ¹

The District's educational program will seek to provide an opportunity for each child to develop to his or her maximum potential. The objectives for the educational program are:

- To foster in the students self-discovery, self-awareness, and self-discipline, enabling them to realize their worth as a human being and to formulate a personal set of values and goals.
- To develop a positive attitude toward and practice of those disciplines which will produce a healthy mind and body.
- To develop an awareness of present and past cultures and civilizations, acquainting students with the variations in mankind's cultural patterns and with the evolution of their natural and cultural heritage.
- To stimulate intellectual curiosity, guiding students to learn how to seek further knowledge through familiarization with the resources and challenges of the world around them.
- To provide fundamental career concepts and skills, developing in the student a foundation for further career training.
- To direct students in becoming proficient in the art of verbal and nonverbal communication.
- To encourage an appreciation of beauty and to assist the student in developing a capacity for aesthetic perception, creation, and judgment.
- To encourage students to discover and build from their individual strengths and develop an awareness of the value of striving toward excellence and mastery of skills.
- To help students learn to deal effectively with other people, encouraging in them sensitivity to the needs and values of others and a respect for individual differences.
- To develop social and personal responsibility, involving students in decision-making processes and problem-solving activities as they work toward constructive change.
- To help students recognize the basic laws that explain the behavior of the universe and to help them use these laws to predict natural phenomena and to develop an appreciation for the environment.
- To help students realize their relationship to their fellow human beings by learning about the rule of law and how to live in harmony with others in a world community.

¹ Each district must have a policy on instruction and goals to guide administration (23 Ill. Admin. Code § 1.210).

- To develop an understanding of consumer education concepts and economic principles for the purpose of achieving, within the framework of the student's own values, maximum utilization of, and satisfaction from, one's own resources.
- To equip students with the technology skills necessary to successfully navigate high school, the workplace, and post secondary institutions of learning.

The administrative staff is responsible for apprising the School Board of the educational program's current and future status. The Superintendent should prepare an annual report that includes:

- A review and evaluation of the present curriculum;
- A projection of curriculum and resource needs;
- An evaluation of, and plan to eliminate, any sexual, cultural, ethnic, or religious bias that may be present in the curriculum or instructional materials and methods;
- A plan for new or revised instructional program implementation;
- A review of present and future facility needs; and
- A review of present and future measures to insure a safe and drug free school environment.

CROSS REF: 1:30 (School District Philosophy), 3:10 (Goals and Objectives), 6:15 (School Accountability), 7:10 (Equal Educational Opportunities)

Instruction

Academic Dishonesty

The integrity of any academic institution depends on the honesty of all those involved in the learning process. The faculty of Winthrop Harbor School District firmly believe that personal integrity is essential to academic success and that students will reach their full potential only by being honest with themselves and with others and by demonstrating that they can do quality work as a result of their own efforts. Students must learn to recognize the value of other people's work and give credit to the authors and artists whose work they cite. As such, in-text citations are required for all research work and papers submitted, written in the standard Modern Language Association (MLA) style. Plagiarism is regarded as a very serious offense. Copying or paraphrasing material/text from the work of another student, from published sources, and/or from the Internet without proper documentation constitutes academic theft.

Plagiarism is defined as: "The unauthorized use of someone else's material, which is then presented as being the result of the plagiarist's own primary research, creative impulse or insight. Plagiarism technically encompasses the borrowing of ideas of others, as well as their exact words." Laurie Henry, The Fiction Dictionary, p. 219.

The faculty further expects that students will not cheat, collude or lie when completing their assigned school work.

Cheating/Collusion is defined as: "The act of obtaining or attempting to obtain credit for academic work by using dishonest means, and include but is not limited to: (1) Copying, in part or whole, from another student's examination, paper (including homework), mathematical calculation(s), research, creative project; (2) Submitting as one's own work an examination, paper, mathematical calculation(s), research or creative project which has been purchased, borrowed, or stolen; (3) Intentional falsification or invention of data or a source in an academic exercise; (4) Using notes, or materials not specifically authorized by the instructor during an examination; and (5) Any collaboration between a student and another person at times or in ways which are not permitted by the instructor." Sonoma State University, Cheating and Collusion Policy.

The penalty for plagiarism, cheating, or collusion in any of the forms mentioned above will be:

- | | |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 st Offense: | Student will earn a zero for the assignment
Minimum of 1 Detention (administrator determined)
Loss of student privileges (administrator determined) |
| 2 nd Offense: | Student will earn a zero for the assignment
In-School Suspension
Loss of student privileges for 9 weeks
Parent conference |

3rd Offense: Student will receive a failing grade for the grading period
 (in the class the offense occurred in)
 Saturday Detention
 Loss of student privileges for 18 weeks
 Parent conference

Teachers reserve the right to not accept an examination, paper, or project submitted by a student that is suspect in some fashion. Students will be given an opportunity to redo the assignment in the teacher's presence, or complete some alternative assignment determined by the teacher. Student refusal to complete an assignment of this type will be considered an admission of guilt and the above penalties will be applied. The above process is subject to administrative review.

Instruction

School Accountability

According to the Illinois General Assembly, the primary purpose of schooling is the transmission of knowledge and culture through which students learn in areas necessary to their continuing development and entry into the world of work. To fulfill that purpose, the Illinois State Board of Education prepared State Goals for Learning with accompanying Illinois Learning Standards.

The School Board gives priority in the allocation of resources, including funds, time, personnel, and facilities, to fulfilling this purpose.

Quality Assurance

The School Board continuously monitors student achievement and the quality of the District's work. The Superintendent shall supervise the following quality assurance components, in accordance with state law and Illinois State Board of Education (ISBE) rules, and continuously keep the Board informed, by:

1. Preparing each school's annual recognition application and quality assurance appraisal, whether internal or external, to monitor each school's process for continuous school improvement.
2. Continuously assess the District's and each school's overall performance in terms of both academic success and equity. This includes, without limitation, a thorough analysis of ISBE's balanced accountability measure and each school's Multiple Measure Index and corresponding Annual Measurable Objective provided by ISBE.
3. If applicable, develop District and School Improvement Plans, present them for Board approval, and supervise their implementation.
4. Publishing a school report card in accordance with State law.
5. In accordance with Sec. 2-3.153 of the School Code, administer at least biennially a survey of learning conditions on the instructional environment within the school to, at minimum, students in grades 6 through 12 and teachers.

The Superintendent shall make regular assessment reports to the Board, including projections whether the District and each school is or will be making adequate yearly progress as defined in State law. The Superintendent shall seek Board approval for each District and/or school improvement plan and otherwise when necessary or advisable.

LEGAL REF.:

105 ILCS 5/2-3.63, 5/2-3.64a-5, 5/10-21.3a, and §5/27-1.
23 Ill. Admin. Code §§1.10, 1.20, and 1.30.

Adopted: January 17, 2005

Revised: September 28, 2009, August 19, 2015, 2/17/16, April 26, 2017

CROSS REF.: 6:170 (Title I Programs), 6:340 (Student Testing and Assessment Program), 7:10 (Equal Educational Opportunities)

Instruction

Administrative Procedure - School Choice and Supplemental Educational Services

In 2001, NCLB added *public school choice* and *supplemental educational services* to Title I of the Elementary and Secondary Education Act. Title I-funded schools, identified by ISBE as in School Improvement, must offer all enrolled students an opportunity to attend a public school within the district that has not been so identified. 34 C.F.R. §200.44. If there are no qualifying schools in the district that can accept students, the district must try to make cooperative agreements with nearby districts that do have eligible schools. *Supplemental educational services* refers to free extra academic assistance. Title I-funded schools, identified by ISBE as in School Improvement for 2 consecutive years, must offer supplemental educational services to eligible students. 34 C.F.R. §200.45.

School Choice

Legal Authority	Description
Elementary and Secondary Education Act	A district must offer public school choice when a school is identified for improvement [20 U.S.C. §§6316(b)(1)(E) and 6316(b)(5)]; for corrective action [§6316(b)(7)]; or for restructuring [§6316(b)(8)]. A district must seek cooperative agreements with other neighboring districts if there are no available choice recipient schools within the district. 20 U.S.C. §6316(b)(11).
U.S. Department of Education	Public school choice, 34 C.F.R. §§200.37, 200.39, and 200.44. Notification to eligible students' parents/guardians. 34 C.F.R. §200.37(b). <i>Public School Choice Non-Regulatory Guidance</i> , www.ed.gov/policy/elsec/guid/schoolchoiceguid.doc .
<u>The School Code</u>	A request to transfer a student pursuant to choice provisions should be made at least 30 days before the first day of the school year. 105 ILCS 5/10-21.3a.
Illinois State Board of Education	<i>Guidance for Public School Choice Letters</i> , which includes a web link to sample parent notice letters, www.isbe.net/grants/html/choice.htm . <i>NCLB, Public School Choice</i> , www.isbe.net/nclb/htmls/school_choice.htm .

Supplemental Educational Services

Legal Authority	Description
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Legal Authority	Description
Elementary and Secondary Education Act	<p>A district must:</p> <ol style="list-style-type: none"> a. Offer SES when a school is identified for improvement [20 U.S.C. §6316(b)(5)]; for corrective action [§6316(b)(7)]; or restructuring [§6316(b)8]. b. Notify eligible students' parents/guardians of the availability of SES. 20 U.S.C. §6316(e)(2)(A). c. Enter into an agreement with a provider. 20 U.S.C. §6316(e)(3). d. Evaluate SES providers' services. 20 U.S.C. §6316(e)(2). e. Protect the privacy of students who receive SES. 20 U.S.C. §6316(e)(2)(D).
U.S. Department of Education	<p>Supplemental educational services, 34 C.F.R. §200.45-48.</p> <p>A district must:</p> <ol style="list-style-type: none"> a. Notify eligible students' parents/guardians. 34 C.F.R. §§200.37(b) and 200.46(a)(1). b. Enter into an agreement with provider(s). 34 C.F.R. §200.46(b). c. Evaluate SES providers' services. 34 C.F.R. §200.46(a)(6). <p><i>Supplemental Educational Services Non-Regulatory Guidance</i>, U.S. Dept. of Education, www.ed.gov/policy/elsec/guid/suppsvcsguid.doc.</p>
Illinois State Board of Education	<p>23 Ill.Admin.Code Part 675, Providers of Supplemental Educational Services, www.ilga.gov/commission/jcar/admincode/023/02300675sections.html.</p> <p>ISBE resources on supplemental educational services, www.isbe.net/ses/html/resources.htm and www.isbe.net/ses/default.htm.</p> <p>Parent notification letters, www.isbe.net/ses/word/parent_guardian.doc.</p>

Instruction

Exhibit - Resolution Declining Requests to Accept Non-Resident Choice Students

WHEREAS, schools identified for school improvement, corrective action, or restructuring under the federal Elementary and Secondary Education Act, 20 U.S.C. §6316, as added by the No Child Left Behind Act of 2001, must offer their students the choice of attending other schools that have not been so identified (so-called “choice students”);

WHEREAS, this School District may be requested by other school districts to accept and enroll students currently attending a school identified for school improvement, corrective action, or restructuring;

WHEREAS, no school in this School District has adequate resources, capacity, and/or staffing that would make it a candidate for accepting non-resident choice students from non-district schools without harming the educational program it currently offers.

THEREFORE, BE IT RESOLVED THAT:

1. The District will not enter into intergovernmental agreement to accept non-resident students from non-District schools identified for school improvement, corrective action, or restructuring;
2. The District will not accept non-resident choice students for enrollment, other than pursuant to: (1) an intergovernmental or cooperative agreement ~~that pre-existed this Resolution~~; (2) a binding order from a court having appropriate jurisdiction; (3) foreign exchange students accepted pursuant to District policy; or (4) State or federal law requiring the District to accept a non-resident students.
3. The Superintendent shall keep the Board apprised of any change in conditions that might cause the Board to reconsider this Resolution.

ADOPTED THIS ___ DAY OF ___, 200___, BY THE FOLLOWING VOTE:

AYES:___ NAYS:___ ABSENT:___

ATTEST:_____

PRESIDENT, BOARD OF EDUCATION

SECRETARY, BOARD OF EDUCATION

Instruction

School Year Calendar and Day

School Calendar

The School Board, upon the Superintendent's recommendation and subject to State regulations, annually establishes the dates for opening and closing classes, teacher institutes and in-services, the length and dates of vacations, and the days designated as legal school holidays. The school calendar shall have a minimum of 185 days to ensure 176 days of actual student attendance.

Commemorative Holidays

The teachers and students shall devote a portion of the school day on each commemorative holiday designated in The School Code to study and honor the commemorated person or occasion. The School Board may, from time to time, designate a regular school day as a commemorative holiday.

School Day

The School Board establishes the length of the school day with the recommendation of the Superintendent and subject to State law requirements. The Superintendent or designee shall ensure that observances required by State law are followed during each day of school attendance.

LEGAL REF.: 105 ILCS 5/10-19, 5/10-24.46, 5/18-8.05, 5/18-12, 5/18-12.5, 5/24-2, 5/27-3, 5/27-18, 5/27-19, 5/27-20, 5/27-20.1, 5/27-20.2, and 20/1. 23 Ill. Admin. Code §1.420(f).
Metzl v. Leininger, 850 F. Supp. 740 (N.D. Ill. 1994), *aff'd* by 57 F.3d 618 (7th Cir. 1995).

CROSS REF.: 2:20 (Powers and Duties of the School Board), 5:200 (Terms and Conditions of Employment and Dismissal), 5:330 (Sick Days, Vacation, Holidays, and Leaves), 6:60 (Curriculum Content), 6:70 (Teaching About Religions), 7:90 (Release During School Hours)

Students

Organization of Instruction

The School District has instructional levels for grades Kindergarten through 8th grade. The Superintendent shall annually present to the School Board a plan for organizing instructional levels and assigning them to school facilities in order to:

1. Support the District's educational program,
2. Maximize facility usage without undue overcrowding, and
3. Provide substantially comparable instructional programs across the District.

Students, for instructional purposes, may be placed in groups within the school which do not necessarily follow grade level designations. For purposes of attendance reporting and other records, however, each student must be identified as to grade-level placement.

Kindergarten

The District maintains a full-day kindergarten with an instructional program that fulfills the District's curriculum goals and objectives and the requirements of the State law. The District also offers a half-day kindergarten for those parents/guardians who request a half-day program.

LEGAL REF.: 105 ILCS 5/10-20.19a, 5/10-20.37, and 5/10-22.18.
23 Ill.Admin.Code §1.420.

CROSS REF.: 6:40 (Curriculum Development), 6:170 (Title I Programs), 7:30 (Student Assignment), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students)

Instruction

Curriculum Development

Adoption

The Superintendent shall recommend a comprehensive curriculum that is aligned with:

1. The District's educational philosophy and goals,
2. Student needs as identified by research, demographics, and student achievement and other data,
3. The knowledge, skills, and abilities required for students to become life-long learners,
4. The minimum requirements of State and federal law and regulations for curriculum and graduation requirements,
5. The curriculum of non-District schools that feed into or from a District school provided that the necessary cooperation and information is available,
6. The Illinois State Learning Standards and any District learning standards, and
7. Any required State or federal student testing.

The School Board will adopt, upon recommendation of the Superintendent, a curriculum that meets the above criteria.

Experimental Educational Programs and Pilot Projects

The Superintendent may recommend experimental educational programs and/or pilot projects for Board consideration. Proposals must include goals, material needs, anticipated expenses, and an evaluation process. The Superintendent shall submit to the Board periodic progress reports for programs that exceed one year in duration and a final evaluation with recommendation upon the program's completion.

Single-Gender Classes and Activities

The Superintendent may recommend a program of non-vocational single-gender classes and/or activities to provide diverse educational opportunities and/or meet students' identified educational needs. Participation in the classes or activities must be voluntary, both genders must be treated with substantial equality, and the program must otherwise comply with State and federal law and with Board policy 7:10, *Equal Educational Opportunities*. The Superintendent must periodically evaluate any single-gender class or activity to ensure that: (1) it does not rely on overly broad generalizations about the different talents, capabilities, or preferences of either gender, and (2) it continues to comply with State and federal law and with Board policy 7:10, *Equal Educational Opportunities*.

Development

The Superintendent shall develop a curriculum review program to monitor the current curriculum and promptly suggest changes to make the curriculum more effective, to take advantage of improved teaching methods and materials, and to be responsive to social change, technological developments, student needs, and community expectations.

The Superintendent shall report to the Board as appropriate, the curriculum review program's efforts to:

1. Regularly evaluate the curriculum and instructional program.

2. Ensure the curriculum continues to meet the stated adoption criteria.
3. Include input from a cross-section of teachers, administrators, parents, and students, representing all schools, grade levels, disciplines, and specialized and alternative programs.
4. Coordinate with the process for evaluating the instructional program and materials.

Curriculum Guides and Course Outlines

The Superintendent shall develop and provide subject area curriculum guides to appropriate staff members.

LEGAL REF.: 34 C.F.R. Part 106.
105 ILCS 5/10-20.8 and 5/10-19.

CROSS REF.: 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:70 (Teaching About Religions), 6:80 (Teaching About Controversial Issues), 6:100 (Using Animals in the Educational Program), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:120 (Education of Children with Disabilities), 6:130 (Program for the Gifted), 6:140 (Education of Homeless Children), 6:145 (Migrant Students), 6:150 (Home and Hospital Instruction), 6:160 (English Language Learners), 6:170 (Title I Programs), 6:180 (Extended Instructional Programs), 7:15 (Student and Family Privacy Rights)

Instruction

Administrative Procedure - Curriculum Development

Faculty Committee

The Faculty Curriculum Committee assists in the District's curriculum planning process and provides the Superintendent with recommendations and supportive summaries. The Committee shall serve in an advisory capacity only.

The Faculty Curriculum Committee will:

- provide adequate and continual communication on matters relating to curriculum between individual teachers (between grade levels, within subject-matter areas and between instructional and administrative staff);
- provide system-wide coordination of curriculum related to student learning experience;
- identify and categorize problems related to curriculum to establish priorities with respect to studies;
- conduct studies and research in the areas of curriculum, utilizing the resources available to the school system;
- engage in long-range planning for the continuous improvement of the curriculum in the School District.

The Superintendent will keep the Committee informed of the specific tasks and the time-frame in which the work must be completed.

Curriculum Guides and Course Outlines

1. Development of guides:

- curriculum guides are best developed by the staff and teachers who are to use them.
- when entire staff participation is not feasible, staff representatives and/or departments concerned shall form system-wide committees for study, creation and revision.
- completed guides will be given to the Superintendent.

2. Use of Guides:

- curriculum guides are to serve as a framework from which a teacher will develop units of study, individual lesson plans and approaches to instruction which will serve the student's particular needs at a particular time. The guides shall be used to map the logical sequence of instruction.
- in subjects where sequence is important, such as mathematics, teachers shall be expected to adhere to the guide. In subjects where sequential learning is less important, the teacher may be given a greater degree of freedom in respect to sequence.

- in all cases, sufficient latitude shall be permitted to provide the teacher with time to teach the current, topical and incidental issues that add to motivation and meaningful teaching and learning.
- the Building Principal and/or department heads shall see that optimum use is made of available curriculum guides.

Instruction

School Wellness

Student wellness, including good nutrition and physical activity, shall be promoted in the District's educational program, school activities, and meal programs. This policy shall be interpreted consistently with Section 204 of the Child Nutrition and WIC Reauthorization Act of 2004 and the Healthy Hunger-Free Kids Act of 2010 (HHFKA). 2 The Superintendent or designee will ensure each school building complies with this policy.

Goals for Nutrition Education and Nutrition Promotion

The goals for addressing nutrition education and nutrition promotion include the following:

- Schools will support and promote good nutrition for students.
- Schools will foster the positive relationship between good nutrition, physical activity, and the capacity of students to develop and learn.
- Nutrition education will be part of the District's comprehensive health education curriculum. See School Board policy 6:60, *Curriculum Content*.

Goals for Physical Activity

The goals for addressing physical activity include the following:

- Schools will support and promote sound nutrition for students
- Schools will foster the positive relationship between sound nutrition, physical activity, and the capacity of students to develop and learn.
- Schools will support and promote an active lifestyle for students.
- Physical education will be taught in all grades and shall include a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health-related fitness, increases students' knowledge, offers direct opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle. See Board policy 6:60, *Curriculum Content*.
- During the school day, all students may be required to engage in a daily physical education course, unless otherwise exempted. See Board policy 6:60, *Curriculum Content*.
- The curriculum will be consistent with and incorporate relevant Illinois Learning Standards for Physical Development and Health as established by the Illinois State Board of Education.

Nutrition Guidelines for Foods Available During the School Day

Students will be offered and schools will promote nutritious food and beverage choices consistent with the current Dietary Guidelines for Americans published jointly by the U.S. Department of Health and Human Services and the Department of Agriculture. In addition, in order to promote student health and reduce childhood obesity, the Superintendent or designee shall restrict the sale of *competitive* foods, as defined by the U.S. Department of Agriculture in the food service areas during meal periods and comply with all applicable rules of the Illinois State Board of Education.

Exempted Fundraising Day (EFD) Requests

All food and beverages sold to students on the school campuses of participating schools during the school day must comply with the “general nutrition standards for competitive foods” specified in federal law, unless the Superintendent or designee in a participating school has granted an exempted fundraising day (EFD). To request an EFD and learn more about the District’s related procedure(s), contact the Superintendent or designee. The District’s procedures are subject to change. The number of EFDs is set by ISBE rule.

Guidelines for Reimbursable School Meals

Reimbursable school meals served shall meet, at a minimum, the nutrition requirements and regulations for the National School Lunch Program and/or School Breakfast Program.

Monitoring

The Superintendent or designee shall annually provide implementation data and/or reports to the Board concerning this policy’s implementation sufficient to allow the Board to monitor and adjust the policy. This report must include without limitation each of the following:

- An assessment of the District’s implementation of the policy
- The extent to which schools in the District are in compliance with the policy
- The extent to which the policy compares to model local school wellness policies
- A description of the progress made in attaining the goals of the policy

Community Input

The Superintendent or designee will actively invite suggestions and comments concerning the development, implementation, and improvement of the school wellness policy from parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the community.

LEGAL REF.: Child Nutrition and WIC Reauthorization Act of 2004, PL 108-265, Sec. 204.
Child Nutrition Act of 1966, 42 U.S.C. §1771 et seq.
National School Lunch Act, 42 U.S.C. §1758.
Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. §1758b, PL 111-296.
42 U.S.C. §1779, as implemented by 7 C.F.R. §210.11.
105 ILCS 5/2-3.139.
23 Ill.Admin.Code Part 305, Food Program.
ISBE’s “School Wellness Policy” Goal, adopted Oct. 2007.

CROSS REF.: 4:120 (Food Services), 5:100 (Staff Development Program), 6:60 (Curriculum Content)

Instruction

Administrative Procedures regarding the Wellness Policy

In order to enact and enforce Student Wellness Policy, the Superintendent and administrative team, with input from teachers (including specialists in health and physical education), parents/guardians, students, representatives of the school food service program, the school board, school administrators, and the public, have developed these administrative rules.

To assist in the creation of a healthy school environment, the District shall establish a Coordinated School Health Team 1 that will provide an ongoing review and evaluation of the Student Wellness Policy and these administrative rules.

The Superintendent shall organize the Coordinated School Health Team and invite appropriate District stakeholders to become members of the Coordinated School Health Team. A Coordinated School Health Team may include representatives from the following areas:

- Administration,
- Counseling/psychological/and social services,
- Food services,
- Health education,
- Health services,
- Parent/Guardian, student and community (including health care providers, hospital and public health department staff, non-profit health organizations, physical activity groups, community youth organizations, and university or other governmental agencies),
- Physical education.

Staff shall be reminded that healthy students come in all shapes and sizes. Students should receive consistent messages and support for:

- Self respect;
- Respect for others;
- Healthy eating; and
- Physical activity.

These rules are subject to ongoing administrative review and modification as necessary to help assure compliance with the purpose and intent of the Student Wellness Policy. Any District stakeholder wishing to express a viewpoint, opinion, or complaint regarding these rules should contact:

Superintendent of Schools
500 North Avenue
Winthrop Harbor IL 60096
(Phone 847-731-3085)
(FAX 847-731-3156)

Students, staff, and community will be informed about the Student Wellness Policy annually.

Nutrition Education

Nutrition education, a component of comprehensive health education, shall be offered every year to all students of the District. The District may offer age appropriate nutrition education classes. In addition, nutrition education topics shall be integrated into the entire curriculum when appropriate.

The District shall attempt to implement a quality nutrition education program that addresses the following:

Curriculum:

- Has a curriculum aligned with the *Illinois Learning Standards*.²
- Equips students to acquire the knowledge and skills needed to engage in sound nutrition behavior.

Instruction and Assessment:

- Aligns curriculum, instruction, and assessment.
- Builds students' confidence and competence in making healthy nutrition choices.
- Engages students in learning that prepares them to choose a healthy diet.
- Includes students of all abilities.
- Is taught by "highly qualified teachers."

Opportunity to learn:

- Includes students of all abilities.

² The Illinois Learning Standards can be viewed at <http://www.isbe.net/ils/Default.htm>

- Endeavors to provide adequate instructional time to build students' confidence and competence in health-enhancing skills.

Nutrition education may also be made available to parents/guardians and the community. This nutrition education may be provided in the form of handouts, wall or bulletin board posters or banners, postings on the District website, community and student oriented presentations or other communications focused on promoting proper nutrition and healthy lifestyles.

Nutrition Standards

The District shall offer school meal programs with menus meeting the meal patterns and nutrition standards established by the United States Department of Agriculture (USDA). The District shall encourage students to make food choices based on the most current Dietary Guidelines for Americans. Food and beverages that compete with the District's policy of promoting a healthy school environment shall be discouraged.

Each school building in the District shall offer and promote the following food and beverages in all venues outside federally regulated child nutrition programs. Such information will be made available to all groups through Food Service:

- Whole and enriched grain products that are high in fiber, low in added fats and sugars, and served in appropriate portion sizes consistent with the current USDA standards;
- Fresh, frozen, canned or dried fruits and vegetables using healthy food preparation techniques, and 100 percent fruit or vegetable juice in 12-ounce servings or less;
- Nonfat, low-fat, plain and/or flavored milk and yogurt, nonfat and/or low-fat real cheese, rather than imitation cheese. Offer the following serving sizes: yogurt in eight-ounce servings or less, milk in 16-ounce servings or less, cheese in 1.5-ounce (two-ounce, if processed cheese) servings or less;
- Nuts, nut butters, seeds, trail mix, and/or soybean snacks in one-ounce portions or less ³; portions of three ounces or less of cooked lean meat, poultry, or fish using healthy food preparation techniques; and
- Accompaniments (sauces, dressings, and dips), if offered, in one-ounce servings or less.

The District shall monitor food service distributors and snack vendors to ensure that they provide predominantly healthy food and beverage choices that comply with this policy's purpose in all venues. (See Exhibit 6:50-E1 *Healthy Food and Beverage Criteria*)

The District shall discourage using food as a reward. Alternatives to using food as a reward are found in Exhibit 6:50-E2 *Alternatives to Using Food as a Reward*.

³ The District shall assure that the dietary needs of food-allergic students are taken into consideration in menu planning

The District shall encourage serving healthy food at school parties. Notices shall be sent to parents/guardians either separately or as part of a school newsletter, reminding them of the necessity of providing healthy treats for students and/or encouraging the use of non-food treats for classroom birthday or award celebrations. (See Exhibit 6:50-E3 *Healthy School Parties*)

The District shall encourage healthy fundraisers as alternatives to fundraising that involve selling food items of limited nutritional value, such as candy, cupcakes, or sugary beverages. Example: Sales of candy items (candy bars, sugar coated chocolate snacks, or the like) as a school or grade level fundraising project should be replaced with non-food items such as candles, wrapping paper, greeting cards, etc. (See Exhibit 6:50-E4 *Healthy School Fundraisers*)

Vending sales of soft drinks, artificially sweetened drinks, and candy will not be permitted on school grounds prior to the start of the school day and throughout the instructional day, except for special events at the discretion of the building principal. For suggestions on healthier foods, see Exhibit 6:50-E5 *Serving Healthy Beverages*.

Physical Education and Physical Activity Opportunities

Developmentally appropriate physical education may be offered every year to all students of the District. ⁴ In addition, physical education topics shall be integrated into the entire curriculum when appropriate.

The District may choose to implement a quality physical education program that addresses the following:

Curriculum:

- Equips students with the knowledge, skills, and attitudes necessary for lifelong physical activity.
- Has a curriculum aligned with the *Illinois Learning Standards*.
- Influences personal and social skill development.

Instruction and Assessment:

- Aligns curriculum, instruction, and assessment.
- Builds students' confidence and competence in physical abilities
- Engages students in curriculum choices that prepare them for a wide variety of lifetime activities.

⁴ Offering physical activity opportunities is required by federal law (Section 204 of Public Law 108-265). Physical education, while recommended, is not required.

- Includes students of all abilities.
- Is taught by a certified physical education teacher trained in best practice physical education methods.
- Keeps all students involved in purposeful activity for a majority of the class period

Opportunity to Learn:

- Builds students' confidence and competence in physical abilities.
- Has a teacher to student ratio consistent with those of other like subject areas and/or classrooms.
- Has enough functional equipment for each student to actively participate.
- Includes students of all abilities.
- Offers instructional periods.
- Provides facilities to implement the curriculum for the number of students served.

The District should offer daily opportunities for unstructured physical activity, commonly referred to as recess, for all students Pre-K through grade six. Recess could be in addition to physical education class time and not be a substitute for physical education. Each school shall provide proper equipment and a safe area designated for supervised recess in the elementary setting. School staff should not under normal circumstances withhold participation in recess from students or cancel recess to make up for missed instructional time. Schools may provide opportunities for some type of physical activity for students in grades seven through twelve apart from physical education class and organized sports. Physical activity opportunities might include: before and after school extracurricular physical activity programs and use of school facilities outside of school hours.

Other School-Based Activities Designed to Promote Student-Wellness

The District shall strive to create a healthy school environment which promotes healthy eating and physical activity. In order to create this environment the following activities may be implemented:

Dining Environment:

The school District shall provide:

- A clean, safe, enjoyable meal environment for students,
- Enough space and serving areas to ensure all students have access to school meals with minimum wait time,
- Drinking fountains in all schools, so that students can get water at meals and throughout the day,

- Encouragement to maximize student participation in school meal programs, and
- Identity protection of students who eat free and reduced price meals.

Time to Eat:

The school District shall ensure:

- Adequate time for students to enjoy eating healthy foods with friends in schools,
- That lunch time is scheduled as near the middle of the school day as possible, and
- That recess for elementary schools is scheduled before lunch if possible so that children will come to lunch less distracted and ready to eat. (See Exhibit 6:50-E6 *Cross-Curricular Instruction: Integrating Physical Activity into Classroom Subjects*)

Food or Physical Activity as a Reward or Punishment:

The school District shall:

- Discourage the use of food as a reward or punishment in schools, (See Exhibit 6:50-E2 *Alternatives to Using Food as a Reward*)
- Not deny student participation in recess or other physical activities as a form of discipline or for classroom make-up time, (See Exhibit 6:50-E6 *Cross-Curricular Instruction: Integrating Physical Activity into Classroom Subjects*)
- Not use physical activity as a punishment, and
- Encourage using physical activity as a reward, such as teacher or principal walking or playing with students at recess. (See Exhibit 6:50-E6 *Cross-Curricular Instruction: Integrating Physical Activity into Classroom Subjects*)

Consistent School Activities and Environment

The school District may attempt to:

- Ensure that all school fundraising efforts support healthy eating and physical activity, (See Exhibit 6:50-E4 *Healthy School Fundraisers*)
- Provide opportunities for on-going professional training and development for foodservice staff and teachers in the areas of nutrition and physical education,
- Make efforts to keep school or District-owned physical activity facilities open for use by students outside school hours,
- Encourage parents/guardians, teachers, school administrators, students, foodservice professionals, and community members to serve as role models in practicing healthy eating and being physically active, both in school and at home,

- Encourage students to make healthy choices by providing incentive and information about choices when selling items during after school events, such as athletic competitions.
- Encourage and provide opportunities for students, teachers, and community volunteers to practice healthy eating and serve as role models in school dining areas,
- Provide information and outreach materials about other FNS programs such as Food Stamps, and Women, Infants, and Children (WIC) to students and parents/guardians,
- Encourage all students to participate in school meals program, i.e. the National School Lunch, including snacks for After School Program, and School Breakfast programs, and
- Implement physical activity across the curriculum throughout the school day or in all subject areas, for example, brain breaks. (See Exhibit 6:50-E6 *Cross-Curricular Instruction: Integrating Physical Activity into Classroom Subjects*)

Implementation and Measurement

All employees of the District are encouraged to be a positive healthy lifestyle role model for students by following, at a minimum, these administrative rules. Students can learn healthy lifestyle habits by observing the food and physical activity patterns of school personnel and other adults who serve as role models in their lives. In order to send consistent messages to students, all adults in the school environment are encouraged to make healthy food choices and engage in physical activity. The District shall work through its Coordinated School Health Team and building level staff to find cost effective ways to encourage staff wellness.

Instruction

Exhibit – Healthy Food and Beverage Criteria

Food or Beverage	<p><i>HealthierUS School Challenge Nutrition Standards*</i></p> <p>These criteria focus on decreasing fat and added sugar, increasing nutrient density, and moderating portion size.</p>
Fruits and Non-fried Vegetables	<p>Fruits and vegetables may be fresh, frozen, canned or dried, and they must be found in the Food Buying Guide for Child Nutrition Programs. http://schoolmeals.nal.usda.gov/FBG/2003FBG/%20Section%202.pdf</p> <p>Examples of products that <i>cannot</i> be sold/served as a fruit or vegetable include:</p> <ul style="list-style-type: none"> • Snack-type foods made from vegetables or fruits, such as potato chips, and banana chips; • Pickle relish, jam, jelly; and • Tomato catsup and chili sauce
Approved Beverages	<ul style="list-style-type: none"> • Flavored or plain reduced fat (2%), low-fat (1%), skim/nonfat fluid milk meeting State and local standards for pasteurized fluid milk and/or USDA approved alternative dairy beverages⁴; • 100% full-strength fruit and vegetable juices; and • Water (non-flavored, non-sweetened, <i>and</i> non-carbonated)
Any Other Individual Food Sales/Service	<ul style="list-style-type: none"> • Calories from total fat must be at or below 35%**, <i>excluding nuts, seeds, and nut butters</i>. This is determined by dividing the calories from total fat by the total calories and multiplying by 100. If calories from fat are not available, multiply the grams of fat by 9 to equal calories from fat. • Calories from saturated fat must be at or below 10%. This is determined by dividing the calories from saturated fat by the total calories and multiplying by 100. If calories from saturated fat are not available, multiply grams of saturated fat by 9 to equal calories from saturated fat. • Total sugar must be at or below 35% by weight. This is determined by dividing the grams of total sugar by the gram weight of the product and multiplying by 100. This includes both naturally occurring and added sugars. This limit does not include fruits and vegetables or flavored milk as defined above. • Portion size for a la carte sales in the school cafeteria are not to exceed the serving size of the food served in the National School Lunch Program/School Breakfast Program; for vending sales the item package or container is not to exceed 200 calories.

⁴ There are no USDA approved alternative dairy beverages at this time. Public Law 108-265 (Child Nutrition Program Reauthorization) authorizes the Secretary of Agriculture to establish nutritionally

equivalent non-dairy beverages by July 1, 2005. Please check with the Illinois State Board of Education for clarification.

*The above *Nutrition Standards* are criteria for sales/service of a la carte and/or vended items from the United States Department of Agriculture's *HealthierUS School Challenge*. Please be aware that these criteria are only meant to apply to individually sold foods and that foods sold as part of a reimbursable school meal may not necessarily meet these criteria although menus meet the nutrition standards set by the U.S. Department of Agriculture for school meals. Local policy makers may wish to modify the standards but should be aware that this may make schools ineligible to meet the criteria for the *HealthierUS School Challenge*.

**The *Dietary Guidelines for Americans 2005* recommend a total fat intake of 20 to 35% for school-age children.

Instruction

Exhibit – Alternatives to Using Food as a Reward

At school, home and throughout the community, children are offered food as a reward for “good” behavior. Often these foods have little or no nutritional value by are easy, inexpensive, and can bring about short-term behavior change.

There are many disadvantages to using food as a reward:

- It undermines nutrition education being taught in the school environment.
- It encourages over consumption of foods high in added sugar and fat.
- It teaches children to eat when they’re not hungry as a reward to themselves.

Children learn preferences for foods made available to them, including those that are unhealthy. Poor food choices and inadequate physical activity contribute to overweight and obesity. Currently, obesity among children, particularly teen age children, is at epidemic levels and can often lead to serious health problems.

Students Learn what they Live

Students naturally enjoy eating healthy and being physically active. Schools and communities need to provide them with an environment that supports healthy behaviors. Below are some alternatives for students to enjoy instead of being offered food as a reward at school.

Reward Alternatives:

- A smile
- Going first
- Verbal praise
- Sit by friends
- Read outdoors
- Have extra art time
- Have an extra recess
- Read to a younger class
- Make deliveries to the office
- Listen to music while working
- Play a favorite game or puzzle
- Watch a video
- Get a no-homework pass
- Earn play money for privileges
- Teach the class
- Help the teacher
- Be a helper in another classroom

- A field trip for the class
- Enjoy class outdoors
- Choosing a class activity
- Walk with a teacher during lunch
- Eat lunch outdoors with the class
- Eat lunch with a teacher or principal
- Extra credit or class participation points
- A photo recognition board in a prominent location in the school
- A note from the teacher to the student commending his or her achievement
- A phone call, email or letter sent home to parents or guardians commending a child's accomplishment
- Recognition of a child's achievement on the school-wide morning announcements or school website
- Ribbon, certificate in recognition of achievement or a sticker with an affirming message (e.g. "Great job")
- Take a trip to the treasure box (filled with: stickers, temporary tattoos, pencils, pens, highlighters, sidewalk chalk, notepads, erasers, bookmarks, etc.)
- Select a paperback book
- Enter a drawing for donated prizes
- Get stickers, pencils, and other school supplies
- Receive a video store or movie theatre coupon
- Get a set of flash cards printed from a computer
- Receive a "mystery pack" (e.g. notepad, folder, sports cards, etc.)

Instruction

Exhibit – Healthy School Parties

Schools play a major role in helping students become fit, healthy, and ready to learn. One way to accomplish this is for foods offered in schools to support lessons learned in the classroom regarding nutrition and physical activity. What better venue than schools – which have a great impact on children – to support the message that proper nutrition and physical activity are a key part of a healthy lifestyle? Positive examples of making healthy eating choices and encouraging physical activity should be visible throughout the school. Parties as well as cafeterias, school stores, vending machines, and after-school events offer opportunities for schools to reinforce the message that making healthy food choices and being physically active means a healthier body and a sharper mind.

Snack Ideas for School and Classroom Parties

Of course, the foods offered at school parties should add to the fun, but try to avoid making them the main focus. Remember, schools are responsible for helping students learn lessons about good nutrition and healthy lifestyles and students should practice these lessons during school parties. For example, consider combining student birthday parties into one monthly event that incorporates physical activities as well as healthy snacks. Also, be sure to consider ethnic and medical food restrictions and allergies when providing classroom snacks.

Here is a **partial** list of healthy snack choices to consider for classroom events. Serving all healthy foods and incorporating physical activities make a powerful statement. Actions speak louder than words: Lead by example.

- Raw vegetable sticks/slices with low-fat dressing or yogurt dip
- Fresh fruit wedges – cantaloupe, honey dew, watermelon, pineapple, oranges, tangelos, etc.
- Sliced fruit – nectarines, peaches, kiwi, star fruit, plums, pears, mangos, apples, etc.
- Fruit salad
- Cereal and low-fat milk
- 100% fruit or vegetable juice
- Frozen fruit pops with fruit juice or fruit as the first ingredient
- Dried fruits – raisins, cranberries, apples, apricots
- Single serving applesauce or canned fruit in juice
- Peanut butter with apple wedges or celery sticks
- Fruit smoothies made with fat-free or low-fat milk
- Trail mix (dried fruits and nuts)

- Dry roasted peanuts, tree nuts and soy nuts (not coconut or palm nuts)
- Lean meats and reduced fat cheese sandwiches (use light or reduced fat mayonnaise in chicken/tuna salads)
- Party mix (variety of cereals, nuts, pretzels, etc.)
- Pretzels or reduced fat crackers
- Baked chips with salsa or low-fat dip (Ranch, onion, bean, etc.)
- Low-fat muffins (small or mini), granola bars and cookies (graham crackers, fig bars)
- Mini bagels with whipped light or fat-free cream cheese
- Pasta salad
- Bread sticks with marinara
- Fat-free or low-fat flavored yogurt & fruit parfaits
- Fat-free or low-fat pudding cups
- Fat-free or low-fat milk and milk products (string cheese, single-serving cottage cheese, cheese cubes)
- Flavored soy milk fortified with calcium
- Pure ice cold water

This list is not all inclusive and is meant only to provide parents and school staff with guidance for healthier food and beverage choices. Not all food and beverage items on this list will necessarily meet district nutrient standard as items vary in sugar, fat and calorie content from brand to brand. However, all of the items in the list are believed to be consistent with the intent of the wellness policy to promote student health and reduce childhood obesity.

Instruction

Exhibit – Healthy School Fundraisers

Encourage Smart Fundraisers for Today's Health Schools

Raising money may present a constant challenge for schools. School fundraisers may help pay for computers, field trips, athletics, music, art, and other programs that educate and enrich young lives – important programs that are not always covered by shrinking school budgets. More than just raising money to pay for valuable programs, a well-run fundraiser can also be an experience that educates, builds self-esteem, provides community service, and promotes school and community spirit.

Fundraising doesn't have to involve selling food items of limited nutritional value, such as candy. Following are web sites and fundraising ideas that offer alternatives to selling candy. When healthy food choices are used as fundraising items, the healthy eating message presented in the schools is reinforced. Some of the ideas even have the added benefit of providing additional physical activity opportunities for students.

Take a look and help your school select a creative fundraising alternative to selling foods of limited nutritional value.

Fundraising Ideas

- Raffle
- Candles
- Book sale
- Cookbook
- *Car wash
- *Walkathons
- Student artwork
- Stuffed animals
- Stadium pillows
- School photo ID
- Educational games
- Holiday decorations
- Shopping donation programs
- School mascot temporary tattoos
- Faculty and/or student talent show

- Teacher/student sports competition
- Auction of donated goods and services
- Balloon bouquets for special occasions
- Bottled water with the schools own label
- Refillable water bottle with the school logo
- Glow in the dark novelties (popular at dances)
- Greeting cards, especially designed by students
- School calendars with all the important school dates on them
- Party bags for kids' birthday parties filled with non-food novelties
- Sale of flowers and balloons for the family to purchase for student graduates
- School spirit items — tee-shirts, sweatshirts, sweatpants, lanyards, pennants, bracelets and caps
- Growing and/or selling flowers and plants for holidays such as Valentine's Day and Mother's Day

Search the Web

Select a search engine and type in "school fundraisers" to access 112,000+ sites. A few of these sites follow:

www.afrds.org/homeframe.html

Association of Fund-Raising Distributors and Suppliers. Site includes a Toolbox with "Fundraising Fundamentals", a checklist for evaluating fundraising companies, and a resource on product fundraising issues and trends.

www.PTOtoday.com

Lists fundraising activities by categories, has a "work vs. reward" equation, contains a parent sharing section on "what works, what doesn't and why".

www.fundraising-ideas.com

Offers a free newsletter with programs, services, and press releases. Links to www.amazon.com with books on fundraising.

Instruction

Exhibit – Serving Healthy Beverages

Recommendations for Serving Healthy Beverages

The following beverages are recommended:

- Plenty of Water
- 100% juice in 12-ounce servings* or less
- Fat free, low fat, plain and/or flavored milk in 16-ounce servings* or less
- Fruit/Fruit juice smoothies in 16-ounce servings* or less

Choosing your Drinks can be Difficult! Watch out for (These are not 100% juice!):

- Fruit punches
- Fruit drinks
- Juice drinks

*Suggested serving-sizes are based on what is commonly available for use in vending machines. It should be noted that excessive juice consumption may result in an increase in calorie intake and may contribute to the development of unhealthy weight. It should also be noted that 70% of teen boys and 90% of teen girls do not meet daily calcium requirements. Offering fat free or low fat single-serve milk is another opportunity to help teens meet their nutrition needs.

Read the Label! To determine if a food or beverage meets the criteria, use the Nutrition Facts label on the package.

Instruction

Exhibit – Cross-Curricular Instruction: Integrating Physical Activity into Classroom Subjects

Cross-curricular integration of lessons will help students to see connections among the subject areas and provide opportunities for teachers to work together. Below are several ideas for integrating physical movement into various subject areas:

Physical activity guides for elementary classroom teachers that integrate physical movement into classroom subjects; language arts, math, science and social studies.

- Brain Breaks: www.emc.cmich.edu/BrainBreaks
- Energizers: www.ncpe4me.com/energizers.html
- Take Ten: www.take10.net

Team Nutrition booklist: The list contains short, one-paragraph annotations for over 300 books about food, healthy eating, and physical activity for children in pre-school through third grade. www.tn.fcs.msue.msu.edu/booklist.html

Examples:

- *Get Moving: Tips on Exercise*, Feeney, Kathy, Bridgestone Books, 2002.
- *Let the Games Begin*, Ajmera, Maya and Michael J. Regan Charlesbridge, 2000.
- Display poster or banners with physical activity themes:
www.nal.usda.gov/wicworks/Sharing_Center/KYactivitypyramid.pdf

Using Physical Activity to Reward Students

Have an extra recess; Walk with a teacher during lunch; Dance to favorite music in the classroom; Hold Friday Physical Activity Time where students earn extra physical activity time based on their good behaviors during the week; and Challenge another homeroom to a sport or activity.

Ideas for School Parties

Make your party a dance; Modify traditional games for classroom use; Hold contests or relays.

Resources

- *All Children Exercising Simultaneously (ACES) day*: A one day event where millions of children of all ages exercise at the same time work-wide in a symbolic event of fitness and unity. <http://www.iahperd.org/textpages/offerings/programs/aces.php>

- *Hoops for Heart:* Engages student in playing basketball while learning the lifelong benefits of physical activity, volunteering, and fundraising. www.americanheart.org
- *Jump Rope for Heart:* Engages students in jumping rope while learning the lifelong benefits of physical activity, the seriousness of heart disease and stroke, volunteering and fundraising. www.americanheart.org/jump
- *National Physical Education & Sport Week:* Designated week for encouraging and promoting physical activity. www.aahperd.org/naspe/may
- *Walk to School Day/Safe Routes to School:* Join in the effort to promote walking to school as a way to provide an opportunity for more physical activity! <http://www.saferoutespartnership.org/state/4373/illinois>

Instruction

Curriculum Content

The curriculum shall contain instruction on subjects required by State statute or regulation as follows:

1. In kindergarten through grade 8, subjects include: (a) language arts, (b) reading, (c) other communication skills, (d) science, (e) mathematics, (f) social studies, (g) art, (h) music, and (i) drug and substance abuse prevention. A reading opportunity of 60 minutes per day will be promoted for all students in kindergarten through grade 3 whose reading levels are one grade level or more lower than their current grade level.
2. In grades 7 and 8, as well as interscholastic athletic programs, steroid abuse prevention must be taught.
3. In grades Kindergarten through 8, provided it can be funded by private grants or the federal government, violence prevention and conflict resolution must be stressed, including: (a) causes of conflict, (b) consequences of violent behavior, (c) non-violent resolution, and (d) relationships between drugs, alcohol, and violence.
4. In grades Kindergarten through 8, age-appropriate instruction for Internet Safety must be taught; the scope of which shall be determined by the Superintendent or designee. The curriculum must incorporate policy 6:235, *Access to Electronic Networks* and, at a minimum, include: (a) education about appropriate online behavior, (b) interacting with other individuals on social networking websites and in chat rooms, and (c) cyberbullying awareness and response.
5. In all grades, character values must be stressed including respect, responsibility, fairness, caring, trustworthiness, and citizenship in order to raise students' honesty, kindness, justice, discipline, respect for others, and moral courage.
6. In all schools, citizenship values must be taught, including: (a) patriotism, (b) democratic principles of freedom, justice, and equality, (c) proper use and display of the American flag, (d) the Pledge of Allegiance, and (e) the voting process.
7. In all grades, physical education must be taught including a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health-related fitness, increases students' knowledge, offers direct opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle. Unless otherwise exempted, all students are required to engage daily during the school day in a physical education course. For exemptions and substitutions, see policy 7:260, Exemption from Physical Education.
8. In all schools, health education must be stressed, including: (a) proper nutrition, (b) physical fitness, (c) other components necessary to develop a sound mind in a healthy body, and (d) dangers and avoidance of abduction, and (e) age-appropriate sexual abuse and assault awareness and prevention education in all grades. The Superintendent shall implement a comprehensive health education program in accordance with State law.
9. In all schools, career/vocational education must be taught, including: (a) the importance of work, (b) the development of basic skills to enter the world of work and/or continue formal education, (c) good work habits and values, (d) the relationship between learning and work, and (e) if possible, a student work program that provides

the student with work experience as an extension of the regular classroom. A Career Awareness and Exploration Program must be available at all grade levels.

10. In all schools, conservation of natural resources must be taught, including: (a) home ecology, (b) endangered species, (c) threats to the environment, and (d) the importance of the environment to life as we know it.
11. In all schools, United States history must be taught, including: (a) the principles of representative government, (b) the Constitutions of the U.S. and Illinois, (c) the role of the U.S. in world affairs, (d) the role of labor unions, and (e) the role and contributions of ethnic groups, including but not limited to, the African Americans, Albanians, Asian Americans, Bohemians, Czechs, French, Germans, Hispanics (including the events related to the forceful removal and illegal deportation of Mexican-American U.S. citizens during the Great Depression), Hungarians, Irish, Italians, Lithuanians, Polish, Russians, Scots, and Slovaks in the history of this country and State.

In addition, all schools shall hold an educational program on the United States Constitution on Constitution Day, each September 17, commemorating the September 17, 1787 signing of the Constitution. However, when September 17 falls on a Saturday, Sunday, or holiday, Constitution Day shall be held during the preceding or following week.

12. In grade 7, students must view a Congressional Medal of Honor film made by the Congressional Medal of Honor Foundation, provided there is no cost for the film.
13. In all schools, the curriculum includes a unit of instruction on the Holocaust and crimes of genocide, including Nazi atrocities of 1933-1945, Armenian Genocide, the Famine-Genocide in Ukraine, and more recent atrocities in Cambodia, Bosnia, Rwanda, and Sudan.
14. In all schools, the curriculum includes a unit of instruction on the history, struggles, and contributions of women.
15. In all schools, the curriculum includes a unit of instruction on Black History, including the history of the African slave trade, slavery in America, and the vestiges of slavery in this country, as well as the struggles and contributions of African-Americans.
16. In all schools, instruction during courses as determined by the Superintendent or designee on disability history, awareness, and the disability rights movement.

LEGAL REF.: 5 ILCS 465/3 and 465/3a.
 20 ILCS 2605/2605-480.
 105 ILCS 5/2-3.80(e) and (f), 5/27-3, 5/27-5, 5/27-6, 5/27-6.5, 5/27-12, 5/27-12.1, 5/27-13.1, 5/27-13.2, 5/27-20.3, 5/27-20.4, 5/27-20.5, 5/27-21, 5/27-22, 5/27-23.3, 5/27-23.4, 5/27-24.2, 435/0.01 et seq., and 110/3.
 625 ILCS 5/6-408.5.
 23 Ill.Admin.Code §§1.420, 1.425, 1.430, and 1.440.
 Consolidated Appropriations Act of 2005, Pub. L. No. 108-447, Section 111 of Division J.
 Protecting Children in the 21st Century Act, Pub. L. No. 110-385, Title II, 122 stat. 4096 (2008).
 47 C.F.R. §54.520.

CROSS REF.: 6:20 (School Year Calendar and Day), 6:40 (Curriculum Development), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7: 185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:260 (Exemption from Physical Education)

Instruction

Administrative Procedure - Comprehensive Health Education Program

The District's comprehensive health education program shall include the following:

1. The health program for all grades shall include human ecology and health, human growth and development, the emotional, psychological, physiological, hygienic and social responsibilities of family life, including sexual abstinence until marriage, prevention and control of disease. **1**
2. The grades 6-8 health program shall include the prevention, transmission and spread of AIDS, public and environmental health, consumer health, safety education and disaster survival, mental health and illness, personal health habits, alcohol, drug use, and abuse including the medical and legal ramifications of alcohol, drug, and tobacco use, abuse during pregnancy, sexual abstinence until marriage, tobacco, nutrition, and dental health. **2**
3. The following areas may also be included as a basis for curricula: basic first aid (including cardiopulmonary resuscitation and the Heimlich maneuver), early prevention and detection of cancer, heart disease, diabetes, stroke, the prevention of child abuse and neglect, and suicide. **3**
4. In grades 6-8, the health program shall include instruction on alcohol and drug use and abuse, including the consequences of drug and substance abuse. **4**
5. Students should be provided with age-appropriate information about the dangers of drug abuse. The District's educational program shall offer drug education units that are integrated into the curricula and are designed to promote effective methods for the prevention and avoidance of drug and substance abuse. **5**
6. The program shall include awareness of the health hazards of anabolic steroids. **6**
7. The family life and sex education program shall be developed in sequential pattern and related in depth and scope to the students' physical, emotional, and intellectual maturity level. Family life courses offered in grades 6-8, shall include the information regarding the alternatives to abortion and information regarding the prevention, transmission and spread of AIDS. Course content shall be age-appropriate. **7**
Class sessions which deal exclusively with human sexuality may be conducted separately for males and females.
8. The health program in grades kindergarten through 8 shall include annual instruction regarding abduction and sexual abuse as part of the District's regular curriculum. **8**
9. Students shall be provided parenting education in grades 6 through 8. **9**

1 Required by 105 ILCS 110/3.

2 Id.

3 Id.

4 Id.

5 105 ILCS 5/27-13.2 requires instruction on drugs in grades kindergarten through 8.

6 Required by 105 ILCS 5/27-23.3 and 23 Ill. Admin. Code § 1.420(u).

7 Course requirements are mandated by 105 ILCS 5/27-9.1, as amended by P.A. 93-88 and 5/27-9.2, but offering the course is optional. P.A. 93-88 requires course material and instruction to include the Abandoned Newborn Infant Protection Act (325 ILCS 2/) as well as information about responsible parenting and the availability of confidential adoption services.

8 Required by 105 ILCS 5/27-13.2 and 23 Ill. Admin. Code § 1.420(t).

10. Students shall be provided safety instruction in all grades. **10**
11. Students in grades 6 through 8 shall receive instruction for decreasing self-destructive behavior, including methods for increasing life-coping skills, self-esteem, and parenting skills of adolescents and teenagers as a deterrent to their acceptance or practice of self-destructive actions. **11**
12. All students shall receive age-appropriate instruction on motor vehicle safety and litter control. **12**
13. All students who are transported by bus to or from school or any school activity shall receive instruction on bus riding safety. **13**

No student shall be required to take or participate in any class or course on AIDS, family life instruction, sex abuse, or organ/tissue transplantation, if his or her parent(s)/guardian(s) submit a written objection to the Building Principal. Parent(s)/guardian(s) of students in grades kindergarten through 8 shall be given at least 5 days written notice before instruction on avoiding sex abuse begins. Refusal to take or participate in any such course or program shall not be reason for disciplinary action or academic penalty. **14**

Parent(s)/guardian(s) shall be provided the opportunity to preview all print and non-print materials used for instructional purposes. **15**

LEGAL REF.: 105 ILCS 5/27-9.1, 5/27-13.2, 5/27-17, 5/27-23, 5/27-23.1, 5/27-23.3, 5/27-23.5, 5/27-26, and 110/3.

9 Course requirements are mandated by 105 ILCS 5/27-23.1, but offering the course is optional.

10 Optional according to 105 ILCS 5/27-17 and 110/3.

11 Required by 105 ILCS 5/27-23.2; school districts may incorporate the ISBE's model curriculum into their curriculum (105 ILCS 5/23-2).

12 Required by 105 ILCS 5/27-23.

13 Required by 105 ILCS 5/27-26.

14 Required by 105 ILCS 5/27-9.1, 5/27-13.2, and 5/27-23.5 (as added by P.A. 90-635).

15 Id.

Instruction

Exhibit - Notice to Parents/Guardians of Students Enrolled in Family Life and Sex Education Classes

Date _____

Class and Time _____

Teacher _____

Classes or Courses on Sex Education, Family Life Instruction, Instruction on Diseases, Recognizing and Avoiding Sexual Abuse, or Donor Programs for Organ/Tissue, Blood Donor, and Transplantation

For your information, all classes that teach sex education emphasize that abstinence from sexual activity is the expected norm. Family life courses are designed to promote a wholesome and comprehensive understanding of the emotional, psychological, physiological, hygienic and social responsibility aspects of family life, and for grades 6 through 12, the prevention of AIDS.

Request to Examine Instructional Material

A sample of the District's instructional materials and course outline for these classes or courses are available from the classroom teacher for your inspection. If you are requesting to examine this material, please complete the following statement and return it to your child's classroom teacher within 5 days.

- I request to examine the instructional materials and course outline for this class.**

Class Attendance Waiver Request

According to State law, no student is required to take or participate in these classes or courses. There is no penalty for refusing to take or participate in such a course or program.

If you do not want your child to participate in these classes or courses, please complete the following **class attendance waiver** statement and return it to your child's classroom teacher within 5 school days.

I request that the District waive the class attendance of my child in a class or courses on:

- Comprehensive sex education, including in grades 6-12, instruction on the prevention, transmission, and spread of AIDS**
- Family life instruction, including in grades 6-12, instruction on the prevention, transmission, and spread of AIDS**
- Instruction on diseases**
- Recognizing and avoiding sexual abuse**
- Instruction on donor programs for organ/tissue, blood donor, and transplantation**

Student (*please print*)

Parent/Guardian (*please print*)

Parent/Guardian Signature

Date

Instruction

Student Social and Emotional Development

Social and emotional learning (SEL) is defined as the process through which students enhance their ability to integrate thinking, feeling, and behaving to achieve important life tasks. Students competent in SEL are able to recognize and manage their emotions, establish healthy relationships, set positive goals, meet personal and social needs, and make responsible ethical decisions.

The Superintendent shall incorporate SEL into the District's curriculum and other educational programs consistent with the District's mission and the goals and benchmarks of the Ill. Learning Standards. The Ill. Learning Standards include three goals for students:

1. Develop self-awareness and self-management skills to achieve school and life success.
2. Use social awareness and interpersonal skills to establish and maintain positive relationships.
3. Demonstrate decision-making skills and responsible behaviors in personal, school and community contexts.

The incorporation of SEL objectives into the District's curriculum and other educational programs may include but is not limited to:

1. Classroom and school-wide programming to foster a safe, supportive learning environment where students feel respected and valued. This may incorporate scientifically based, age-and-culturally appropriate classroom instruction, District-wide, and school-wide strategies that teach SEL skills, promote optimal mental health, and prevent risk behaviors for all students.
2. Staff development and training to promote students' SEL development. This may include providing all personnel with age-appropriate academic and SEL and how to promote it.
3. Parent/Guardian and family involvement to promote students' SEL development. This may include providing parents/guardians and families with learning opportunities related to the importance of their children's optimal SEL development and ways to enhance it.
4. Community partnerships to promote students' SEL development. This may include establishing partnerships with diverse community agencies and organizations to assure a coordinated approach to addressing children's mental health and SEL development.
5. Early identification and intervention to enhance students' school readiness, academic success, and use of good citizenship skills. This may include development of a system and procedures for periodic and universal screening, assessment, and early intervention for students who have significant risk factors for social, emotional, or mental health conditions that impact learning.

6. Treatment to prevent or minimize mental health conditions in students. This may include building and strengthening referral and follow-up procedures for providing effective clinical services for students with social, emotional, and mental health conditions that impact learning. This may include student and family support services, school-based behavioral health services, and school-community linked services and supports.
7. Assessment and accountability for teaching SEL skills to all students. This may include implementation of a process to assess and report baseline information and ongoing progress about school climate, students' social and emotional development, and academic performance.

LEGAL REF.: Children's Mental Health Act of 2003, 405 ILCS 49/

CROSS REF.: 1:30, (School District Philosophy), 6:10 (Educational Philosophy and Objectives), 6:40 (Curriculum Development), 6:60 (Curriculum Content), 6:270 (Guidance and Counseling Program), 7: 180 (Preventing Bullying, Intimidation, and Harassment), 7:100 (Health Examinations, Immunizations, and Exclusion of Students), 7:250 (Student Support Services)

Instruction

Teaching About Religions

The School District's curriculum may include the study of religions as they relate to geography, history, culture, and the development of various ethnic groups. The study of religions shall give neither preferential nor derogatory treatment to any single religion, religious belief, or to religion in general. The study of religions shall be treated as an academic subject with no emphasis on the advancement or practice of religion.

LEGAL REF.: School Dist. of Abington Twp v. Schempp, 374 U.S. 203 (1963).
Allegheny County v. ACLU Pittsburgh Chapter, 492 U.S. 573 (1989).

CROSS REF.: 6:20 (School Year Calendar and Day), 6:40 (Curriculum Development), 6:60 (Curriculum Content), 6:255 (Assemblies and Ceremonies)

Instruction

Administrative Procedure - Teaching About Religions

The following are guidelines for teaching about religions:

1. Instruction must be age appropriate to ensure that students will not believe the District is sponsoring religion.
2. Instruction may expose students to religious views, but may not impose any particular views.
3. Instruction must be informational, not indoctrination.
4. Instruction must be academic, not devotional.
5. Instruction may study what people believe, but may not teach a student what to believe.
6. Instruction should include a variety of religions, but should not press for student acceptance of any one religion.

Within the parameters of the academic study of religion, teachers may display objects, artifacts, and symbols that illustrate a variety of religious customs, beliefs, and expressions. Any classroom and school display presented as a part of religious studies or holiday activities must meet the following criteria:

1. The display will be exhibited on a temporary basis.
2. The display will be constructed in a manner that presents no endorsement, favoritism, or promotion of a single religion or religious belief.
3. The display will include non-secular as well as secular symbols.
4. The display will include appropriate descriptive labels attached to the symbols.

Individual student participation in the preparation of a religious study display or a religious holiday display is strictly voluntary. If the display is a class activity, any student who wishes not to participate must be given an alternative assignment.

Instruction

Teaching About Controversial Issues

The Superintendent shall ensure that all school-sponsored presentations and discussions of controversial or sensitive topics in the instructional program, including those made by guest speakers, are:

- Age-appropriate. Proper decorum, considering the students' ages, should be followed.
- Consistent with the curriculum and serve an educational purpose.
- Informative and present a balanced view.
- Respectful of the rights and opinions of everyone. Emotional criticisms and hurtful sarcasm should be avoided.
- Not tolerant of profanity or slander. Disruptive conduct is prohibited and may subject a student to discipline.

The District specifically reserves its right to stop any school-sponsored activity that it determines violates this policy, is harmful to the District or the students, or violates State or federal law.

CROSS REF.: 6:40 (Curriculum Development), 6:255 (Assemblies and Ceremonies)

Instruction

Exhibit - Notification to Parent(s)/Guardian(s)

On school letterhead

Date

Re: *Class Activity of a Potentially
Controversial Nature*

To Parent(s)/Guardian(s) of:

Please be advised that your child's class will engaged in a class activity of a potentially controversial nature on or about *[insert date]*. The topic of this class activity deals with _____ and is considered to be of educational value because _____ .

No student is required to take or participate in this class activity or in any class or course of a potentially controversial nature if a parent/guardian believes is not in the best interest of the student. There is no penalty for refusing to take or participate in such a class or program.

The instructional materials and lesson plan are available from the classroom teacher for your inspection. Please return the attached form if you want to examine the instructional material.

If you do not want your child to participate in the class activity, please complete the attached "class attendance waiver" and return it within 5 school days.

Sincerely yours,

Building Principal

Instruction

Exhibit - Class Attendance Waiver Request

To be submitted to the Building Principal

Name of Student:	
Class/Time:	
Teacher:	

I, the undersigned parent/guardian of [insert student's name], hereby request that the District waives the class attendance of the above mentioned student from the class activity scheduled for [insert date].

Signature:	
Name of Parent/Guardian (please print):	
Address:	
Phone:	
Date:	

Instruction

Exhibit - Request to Examine Instructional Material

To be submitted to the classroom teacher

Name of Student:	
Class:	
Time:	

I, the undersigned parent/guardian of *[insert student's name]*, want to examine the instructional materials and lesson plan for the *[insert name of class activity]*.

It is my understanding the District materials I will examine are a sample of the materials which will be used as part of a class exploration of a potentially controversial topic.

Signature:	
Name of Parent/Guardian (please print):	
Address:	
Phone:	
Date:	

Instruction

Kindergarten 1

The District maintains a full-day kindergarten with an instructional program that fulfills the District's curriculum goals and objectives and the requirements of the State law. To comply with the requirements specified in the 23 Illinois Administrative Code, a half-day kindergarten program is available upon parent/guardian request.

LEGAL REF.: 105 ILCS 5/10-20.19a, 5/10-20.37, and 5/10-22.18.
23 Ill. Admin. Code §1.420.

CROSS REF.: 6:40 (Curriculum Development)

¹ State or federal law controls this policy's content.

Instruction

Using Animals in the Educational Program

Animals may be brought into school facilities for educational purposes according to procedures developed by the Superintendent assuring: (a) the animal is appropriately housed, humanely cared for, and properly handled, and (b) students will not be exposed to a dangerous animal or an unhealthy environment.

Experiments on living animals are prohibited; however, behavior studies that do not impair an animal's health or safety are permissible. The dissection of dead animals or parts of dead animals shall be allowed in the classroom only when the dissection exercise contributes to or is a part of an illustration of pertinent study materials. All dissection of animals shall be confined to the classroom and must comply with the School Code.

Students who object to performing, participating in, or observing the dissection of animals are excused from classroom attendance without penalty during times when such activities are taking place. No student will be penalized or disciplined for refusing to perform, participate in, or observe a dissection. The Superintendent or designee shall inform students of: (1) their right to refrain from performing, participating in, or observing dissection, and (2) which courses contain a dissection unit and which of those courses offers an alternative project.

LEGAL REF.: 105 ILCS 5/2-3.122, 5/27-14, and 112/.

CROSS REF.: 6:40 (Curriculum Development)

ADMIN. PROC.: 6:120-AP3 (Service Animal Access Requests), 6:120-AP3, E1 (Request for a Service Animal to Accompany a Student in School Facilities)

Instruction

Administrative Procedure - Dissection of Animals

Actor	Action	Time
Teacher	Determine which, if any, courses contain a dissection project. "Dissection" includes cutting, killing, preserving, or mounting of living or dead animals or animal parts for scientific study; but does not include the cutting, preserving, or mounting of (1) meat or other animal products that have been processed for use as food or in the preparation of food, or (2) wool, silk, glue, or other commercial or artistic products derived from animals (105 ILCS 112/10). A dissection project includes any time in which students perform, participate in, or observe dissection.	Throughout the curriculum development process.
Teacher	Determine suitable alternative projects, if any, to dissection for those courses that contain a dissection project.	Throughout the curriculum development process.
Teacher	Report to the Building Principal which, if any, courses contain a dissection project and the availability, if any, of an alternative.	Annually before course offerings and descriptions are distributed to students.
Building Principal	Ensure that course descriptions indicate which courses contain a dissection unit, that objecting students have the right to refrain, and the availability, if any, of an alternative.	Annually when course offerings and descriptions are distributed to students.
Students	If dissection is objectionable, ask the appropriate teacher to be excused from the dissection project and request an alternative project, if one is available.	Within the first 10 days of the course, if possible.
All Staff Members	Do not penalize or discriminate against a student in any way for refusing to perform, participate in, or observe dissection.	Continuously

LEGAL REF.: 105 ILCS 112/1 et seq.

Instruction

Programs for Students At Risk of Academic Failure and/or Dropping Out of School

The Superintendent or designee shall develop, maintain, and supervise a program for students at risk of academic failure or dropping out of school. The program shall include education and support services that address individual learning styles, career development, and social needs, and may include:

- Parent-teacher conferences
- Counseling services by social workers and/or guidance counselor
- Counseling services by psychologists
- Psychological testing
- Truants' alternative and optional education program ¹
- Alternative school placement
- Community agency services
- Alternative Learning Opportunities Program, in conformity with the Alternative Learning Opportunities Law, as it may be amended from time-to-time ²

LEGAL REF.: 105 ILCS 5/2-3.41, 5/2-3.66, 5/13B-1, et seq., 5/26-2a, 5/26-13, and 5/26-14.

CROSS REF.: 7:70 (Attendance and Truancy)

¹ 105 ILCS 5/2-3.66 authorizes the ISBE to award grants to school districts, ROEs, and community college districts in order to implement such programs.

² 105 ILCS 5/13B-1, et seq., as added by P.A. 92-0042, eff. Jan. 1, 2002. Districts are not required to establish an alternative learning opportunities program. However, if they do, State law requires that the program "provide a flexible standards-based learning environment, innovative and varied instructional strategies, a student-centered curriculum, social programs, and supplemental social, health, and support services to improve the educational achievement of students at risk of academic failure" (105 ILCS 5/13B-20). The program must also meet the requirements in 105 ILCS 5/13B-45. Alternative learning opportunities programs "may include without limitation evening high school, in-school tutoring and mentoring programs, in-school suspension programs, high school completion programs to assist high school dropouts in completing their education, support services, parental involvement programs, and programs to develop, enhance, or extend the transition for students transferring back to the regular school program, an adult education program, or a post-secondary education program" (105 ILCS 5/13B-20.5). See 105 ILCS 5/13B-25.10, as well as other requirements for general State aid, for additional requirements to receive State funds for creating this program.

Instruction

Programs for Students At Risk of Academic Failure and/or Dropping Out of School

70's Rule Procedure

Attendance Component (Begins at the end of 1st Grading Period)

At the end of each grading period, the attendance clerk will run an attendance report for the past 6 weeks. Any student with 30% or more missing days (for any reason) should be reported to the building principal. If the student had legitimate reasons for the excessive absence (e.g. prolonged illness, excused absence, death in family, etc.) it should be briefly noted on the report. The principal will evaluate every attendance rule violation and make a determination regarding whether or not a student is at risk of academic failure due to their attendance pattern.

Academic Component (Begins at the end of 1st Grading Period)

When preparing report cards at the end of each grading period, teachers should check their gradebook for students who have dropped below a 70% completion rate* on class work/homework (e.g. the completion of less than 7 out of every 10 assignments) and/or have a course average (accuracy rate) of 70% or less. When a student drops below the threshold on either of these two indicators, the student is considered at-risk of academic failure and the following procedure will be implemented:

Implementation Strategy

Step 1 – Teacher fills out an Academic Concern Notice and meets with the student to discuss academic progress. This notice should be sent along with a copy of their current progress report and/or other information explaining the student's areas of deficiency. The notice has a tear off area that must be signed by the parent and returned to the teacher. A copy of the notice and related material should be turned into the building principal.

Step 2 – If the student does not show adequate improvement, the teacher will contact the parent personally. A phone conference or face-to-face conference should be attempted first, but if this is impossible, a note to the parents expressing continued concern should be sent home and returned signed by the parent. The teacher will also alert the building principal that a second contact was made.

Step 3 - If the student still does not show adequate improvement, a copy of the most recent progress report (or other written information) should be given to the building principal. At this point the building principal will become directly involved in the process. This may include a conference with the student and teachers, a conference with the parents, and the use of additional services through PPS, homework club, or other resources.

Step 4 - If the student still does not show adequate improvement, the superintendent will become directly involved and contact the student/parents as a final means to remove the obstacles to student success. Additional instructional team suggestions will also be solicited at this time.

The goal of this program is not to punish students, but to protect them against failure. Every effort should be made to find methods of motivating the students and helping them to overcome obstacles. At times "punitive" measures may be necessary, but incentives for good academic performance should also be considered.

The timing of each of these steps should be minimally at the end of each grading period. The principal and/or the instructional team may decide to skip a few steps if circumstances warrant a more accelerated plan. While the process is to be automatically triggered any time a student falls below 70% level on any of the three indicators (attendance, completion rate, accuracy rate).

Because our goal is to prevent student failure, it is also permissible for a teacher to trigger the process even while the student is above the 70% level if the teacher feels they are heading in the direction of failure. For instance, if a major project is due in a class and the teacher feels the student is not making adequate progress and it is likely that this will cause them to drop below the 70% level they may send home an Academic Concern Notice in advance. This is particularly true when a project is due at the end of a grading period and counts for a large part of the grade.

If you have further questions please contact your building principal for more information.

* Teachers must develop their own criteria for determining whether or not an assignment is "complete." An extension of the *70's Rule* is to routinely reject any assignment that is below 70% accuracy. A score/grade is not recorded until the assignment reaches at least the 70% level. The student is allowed to re-submit the assignment until this minimum standard is achieved. Teachers may want to limit the number of resubmissions, such as a "three strikes your out" plan. If teachers establish 70% as the minimum accuracy level for the acceptance of an assignment, they are adopting an attitude that communicates to the students that it is more important to "get it right than to get it done." Students typically adjust their work habits to this higher standard fairly rapidly; however, it is entirely up to the teacher to determine their own minimum standard for work completion/submission. Simply turning in an assignment, regardless of accuracy rate, can be counted as a "completed" assignment if a teacher so desires.

Instruction

Exhibit - Notification to Parent(s)/Guardian(s)
Academic Concern Notice

Dear Parent or Guardian,

My highest priority as superintendent of the Winthrop Harbor School District is to prevent student failure. All students can be successful given the proper guidance and support. The faculty and I are committed to alerting parents when students seem to be on the road to failure, so that together, we can remove the obstacles to success. Specifically, we feel it is our responsibility to contact parents when a student falls below a 70% level in academic accuracy, completion rate, or in attendance. Adequate performance in these three areas is crucial to student success.

It has come to my attention that your child has fallen below the 70% level in one or more of these areas. I encourage you to work with your learner and his/her teachers to remedy the problem. If the problem persists, I have asked that the principals become involved and, ultimately, I will become personally involved if the failure continues. Please carefully read the information below and any attached documents. If you have questions please contact the teacher(s) listed below. It is our sincere desire to see your child succeed and ask that you partner with us in giving them the best education possible.

Sincerely,

Superintendent

Student Name: _____ **Grade:** _____

Notifying Teacher(s): _____ **Date:** _____

Area of Concern:

- Attendance
- Art
- Computers/Library
- Language Arts
- Math
- Music
- PE/Health
- Reading
- Research
- Science
- Social Studies

Failure Indicators:

- Homework not turned in
- Incomplete assignments
- Poor use of class time
- Poor performance on tests
- Poor attitude
- Socializes too much
- Does not work well independently
- Does not turn in makeup work
- Difficulty understanding material

Additional Information:

Please sign below to indicate that you have received the above information and return this portion to the teacher listed above on the following school day. Thank you.

Parent's Signature _____

Please check here if you need the teacher to contact you.

Phone number: _____

Instruction

Exhibit – Administrative Academic Alert
70's Rule Step 3 Information

Student' Name: _____ **Teacher's Name:** _____

Please fill out this form when a student has reached Step 3 of the 70's Rule Procedures.
Please print and attach a progress report for all grading periods.

Step 1 date ____/____/____ Step 2 date ____/____/____ Step 3 date ____/____/____

Area of Deficiency: Please describe the subject(s) that the student is struggling with. What appears to be causing the failure?

Teacher Involvement: Please list interventions attempted with student:

Parent Involvement: Please describe interactions with parents and their involvement:

Student Involvement: Please describe student progress. Have any interventions worked, even if only briefly? Can you identify anything that might motivate the student?

Administrative Involvement: Please detail any suggestions you may have for working with the student. What administrative assistance would you like to see occur?

Instruction

Education of Children with Disabilities

The District shall provide a free appropriate public education in the least restrictive environment and necessary related services to all children with disabilities enrolled in the District, as required by the Individuals With Disabilities Education Act (IDEA) and implementing provisions of The School Code, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act. The term "children with disabilities," as used in this policy, means children between ages 3 and 21 for whom it is determined, through definitions and procedures described in the Illinois State Board of Education's *Special Education* rules that special education services are needed.

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in the Illinois State Board of Education's Rules and Regulations to Govern the Administration of Special Education. For those students who are not eligible for services under IDEA, but, because of disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the District shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, and educational placement. This system shall include notice, an opportunity for the student's parent(s)/guardian(s) to examine relevant records, an impartial hearing with opportunity for participation by the student's parent(s)/guardian(s), and representation by counsel, and a review procedure.

The District may maintain membership in one or more cooperative associations of school districts that shall assist the School District in fulfilling its obligations to the District's disabled students.

If necessary, students may also be placed in nonpublic special education programs or education facilities.

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. § 12101 et seq.
 Individuals With Disabilities Education Improvement Act of 2004, 20
 U.S.C. § 1400 et seq.
 Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794.
 105 ILCS 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02a.
 23 Ill. Admin. Code § 226.

CROSS REF.: 2:150 (Committees), 7:230 (Misconduct by Students with Disabilities)

Instruction

Administrative Procedure - Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities

In its continuing commitment to help school districts and special education cooperatives comply with ISBE requirements for procedure, the special education committee of the Ill. Council of School Attorneys prepared model special education procedures. ISBE has approved these procedures as conforming to 23 Ill.Admin.Code §226.710. This ISBE rule contains the requirements for special education procedures that must be adopted by each school district and cooperative entity. The IASB/ISBE model procedures are approximately 80 pages and are available on the IASB website: <http://iasb.com/law/icsaspeded.cfm>.

Instruction

Exhibit - Notice to Parents/Guardians Regarding Section 504 Rights

On District letterhead

Date:

Dear Parent/Guardian:

Re: Section 504 Rights

The Rehabilitation Act of 1973, commonly referred to as "Section 504," is a nondiscrimination statute enacted by the U.S. Congress. The Act's purpose is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

An eligible student under Section 504 is a student who: has a record of having, or is regarded as having, a physical or mental impairment which substantially limits a major life activity such as learning, self-care, walking, seeing, hearing, speaking, breathing, working, and performing manual tasks. Many students will be eligible for educational service under both Section 504 and the Individuals with Disabilities Education Act (IDEA). Students who are eligible under IDEA have many specific rights that are not available to students who are eligible solely under Section 504.

This notice describes the rights assured by Section 504 to those disabled students who do not qualify under IDEA. The intent of this notice is to keep you fully informed concerning decisions about your student and to inform you of your rights if you disagree with any decisions in reference to Section 504.

Please keep this explanation for future reference.

Parents/Guardians and/or students have the right to:

1. Be informed by the School District of your rights and procedural safeguards under Section 504 in an understandable language. 34 C.F.R. Parts 104 and 300. The purpose of this notice is to advise parents/guardians and/or students of these rights. 23 Ill.Admin.Code §§226.500, 510 and 610.
2. An appropriate education designed to meet a student's individual educational needs as adequately as the needs of non-disabled students are met. 34 C.F.R. §104.33.
3. Free educational services except for those fees that are imposed on non-disabled students or their parents/guardians. Insurers and similar third parties are not relieved from an otherwise valid obligation to provide or pay for services provided to a disabled student. 34 C.F.R. §104.33.
4. A placement in the least restrictive environment. 34 C.F.R. §104.34.
5. Facilities, services, and activities that are comparable to those provided for non-disabled students. 34 C.F.R. §104.34.
6. An evaluation prior to an initial Section 504 placement and any subsequent significant change in placement. 34 C.F.R. §104.34.
7. Testing and other evaluation procedures conforming to the requirements of 34 C.F.R. §104.35 as to validation, administration, areas of evaluation, etc. The District shall consider information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical conditions, social and cultural background, adaptive behavior, physical or medical reports, student grades,

progress reports, parent/guardian observations, anecdotal reports and standardized test scores. 34 C.F.R. §104.35.

8. Placement decisions made by a group of persons, i.e., a Section 504 committee, including the parent(s)/guardian(s) persons knowledgeable about the student, the meaning of the evaluation data, the placement options and the legal requirements for the least restrictive environment and comparable facilities. 34 C.F.R. §104.35.
9. Periodic reevaluations. 34 C.F.R. §104.35.
10. A notice prior to any action by the District in regard to the identification, evaluation, or placement of the student. 34 C.F.R. §104.36.
11. Examine relevant records. 34 C.F.R. §104.36.
12. An impartial due process hearing regarding the student's identification, evaluation or educational placement including an opportunity for parental participation in the hearing and representation by an attorney. 34 C.F.R. §104.36.

You must file a written *Parental Request for an Impartial Due Process Hearing* with the District Section 504 compliance coordinator or designee. If you disagree with the decision of the Section 504 committee. The request must be submitted to the District Section 504 compliance coordinator within 10 calendar days from the time you received the written notice of the District's Section 504 committee decision. A copy of a *Parental Request for an Impartial Due Process Hearing* is available online at:

www.isbe.state.il.us/spec-ed/pdfs/dp_parental_19-86a.pdf.

The hearing will be scheduled before an impartial hearing officer and you will be notified in writing of the date, time, and place for the hearing. The hearing will conform to the requirements of 34 C.F.R. §300.512 and Section 14-8.02a of The School Code (105 ILCS 5/14-8.02a.). 34 C.F.R. §104.36; 23 Ill.Admin.Code §226.625. The impartial hearing officer shall issue a written decision, including findings of fact and conclusions of law, within 10 days after the conclusion of the hearing and send by certified mail a copy of the decision to the parents/guardians or student (if the student requests the hearing), the School District, the Director of Special Education, legal representatives of the parties, and the State Board of Education. 105 ILCS 5/14-8.02a(h).

13. A review by a court of competent jurisdiction of the impartial hearing officer's decision. 34 C.F.R. §104.36. Any appeal must be filed in a court of competent jurisdiction within 120 days after the impartial due process hearing officer's decision is mailed to the party. 105 ILCS 5/14-8.02a(i).
14. File a complaint with the District's Section 504 coordinator or designee concerning Section 504 matters other than your student's identification, evaluation and/or placement. The Section 504 coordinator or designee will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution.
15. File a complaint with the Office of Civil Rights. The Illinois regional Office of Civil Rights is located in Chicago at:
Chicago Office for Civil Rights
U.S. Department of Education
Citigroup Center
500 West Madison Street, Suite 1475

Chicago, IL 60661
Phone: 312/730-1560
Fax: 312/730-1567
TDD: 877/521-2172
Email: OCR.Chicago@ed.gov

Sincerely,
Superintendent

Instruction

Exhibit - Special Education Required Notice and Consent Forms

Below is the URL to ISBE's updated *Special Education Required Notice and Consent Forms and Instructions*. The forms are the official versions of the State-required forms and were updated in January 2008 to bring Illinois into compliance with IDEA 2004 and 23 Illinois Administrative Code Part 226. ISBE added three new forms: *Parent/Guardian Notification of Individualized Education Program Amendment*, *Parent/Guardian Excusal of an Individualized Education Program Team Member*, and *Delegation of Rights to Make Educational Decisions*. Each form contains useful instructions to understand the purpose and use of each form. The URL also provides access to each form in languages other than English.

www.isbe.net/spec-ed/html/consent.htm

Instruction

Administrative Procedure - Access to Classrooms and Personnel

Access to classrooms and personnel is permitted in limited situations by Section 105 ILCS 5/14-8.02(g-5), amended by P.A. 96-657. Guidelines follow:

1. These guidelines apply to access requested by the parent/guardian of a student receiving special education services or being evaluated for eligibility, an independent educational evaluator, or a qualified professional retained by or on behalf of a parent/guardian or child. A *qualified professional* means “an individual who holds credentials to evaluate the child in the domain or domains for which an evaluation is sought or an intern working under the direct supervision of a qualified professional, including a master’s or doctoral degree candidate.” These individuals are referred to in this procedure as *visitors*.
2. Visitors will be afforded reasonable access to educational facilities, personnel, classrooms, and buildings and to the child. To minimize disruption, reasonable access means that the parent(s)/guardian(s) or qualified professional retained by or on behalf of a parent/guardian or child is allowed access once per school quarter for up to one hour or one class period. ¹ A visitor may request the authorized administrator to grant longer or additional observations based on individual circumstances and provide any supporting documentation in support of such a request. A professional evaluator can request longer or additional observations in his or her initial request. The administrator may grant, deny, or modify the request, and the administrator’s decision shall be final.
3. Visitors must comply with:
 - a. School safety, security, and visitation policies at all times.
 - b. Applicable privacy laws, including those laws protecting the confidentiality of education records such as the federal Family Educational Rights and Privacy Act and the Illinois School Student Records Act.
 - c. Board policy 8:30, *Visitors to and Conduct on School Property*. Visitors may not disrupt the educational process.
4. If the visitor is a parent/guardian, he or she will be afforded reasonable access as described above for the purpose of:
 - a. Observing his or her child in the child’s current educational placement, services, or program, or
 - b. Visiting an educational placement or program proposed for the child by the IEP team.
5. If the visitor is an independent educational evaluator or a qualified professional retained by or on behalf of a parent or child, he or she must be afforded reasonable

¹ State law is silent on the frequency and length of access. These provisions may be omitted or changed. If the frequency or length of access is limited, the procedure should allow a visitor to request longer or additional access (as in the next sentence).

access of sufficient duration and scope for the purpose of conducting an evaluation of the child, the child's performance, the child's current educational program, placement, services, or environment, or any educational program, placement, services, or environment proposed for the child, including interviews of educational personnel, child observations, assessments, tests, or assessments of the child's educational program, services, or placement or of any educational program proposed by the IEP team, services, or placement. If one or more interviews of school personnel are part of the evaluation, the interviews must be conducted at a mutually agreed upon time, date, and place that do not interfere with the school employee's school duties. The Building Principal or designee may limit interviews to personnel having information relevant to the child's current educational services, program, or placement or to a proposed educational service, program, or placement.

6. Prior to visiting a school, school building, or school facility, a visitor must complete 6:120-AP2, E1, *Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes*. This form serves to:
 - a. Inform the Building Principal or designee in writing of the proposed visit(s), the purpose, and the duration, and
 - b. Identify requested dates/times for the visit(s) to facilitate scheduling.
7. The student's parent/guardian must consent in writing to the student being interviewed by the named evaluator as part of a visit. The parent/guardian will grant this consent by completing 6:120-AP2, E1, *Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes*.
8. The student's parent/guardian, or the student, if he or she is over the age of 18, must execute an Authorization to Release Student Record Information before an independent educational evaluator or a qualified professional retained by or on behalf of a parent/guardian or child will be given access to student school records or to personnel who would likely release such records during discussions about the student. If a student is over the age of 12 and the records contain mental health and/or developmental disability information, the student must also be requested to sign the Authorization to Release information before any observation by or disclosure of school student records or information to a visitor.
9. The visitor must acknowledge, before the visit, that he or she is obligated to honor students' confidentiality rights and refrain from any re-disclosure of such records. The visitor will provide this acknowledgment and agreement by completing 6:120-AP2, E1, *Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes*.
10. The Building Principal or designee will attempt to arrange the visit(s) at times that are mutually agreeable. The Building Principal or designee will accompany any visitor for the duration of the visit, including during any interviews of staff members.
11. If the visitor is a professional retained by the parent/guardian, the visitor must provide identification and credentials before the visit.
12. This procedure applies to any public school facility, building, or program and to any facility, building, or program supported in whole or in part by public funds. The

student's case manager or other District designee must facilitate such visit(s) when the student attends a program outside of the School District, such as at a private day program or residential program, provided it is supported in whole or in part by public funds.

Instruction

Exhibit - Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes

Student name: _____ DOB: _____

School attending: _____ Grade: _____

The following information must be completed by individuals requesting to access a school building, facility, and/or educational programs or to interview District personnel or the student named above for the purpose of assessing the student's special education needs. Please complete this form and return it to the Building Principal or Program Director where the student is enrolled. He or she will contact you to coordinate your visit:

Parent/Guardian *(Complete this section if the person making the request is the parent/guardian.)*

Name: _____ Title: _____ Phone: _____

Address: _____

I am the parent/guardian of the above-named student and wish to observe my child in the following classroom/settings: _____
for the purpose of: _____

I am the parent/guardian of the above-named student and wish to observe the following classroom/settings which have been recommended for my child: _____
_____ for the purpose of: _____

Observations are limited to one hour or one class period per school quarter.

Parent's Independent Evaluator or Other Qualified Professional *(Complete this section if the person making the request is not the parent/guardian.)*

Name: _____ Agency/Company: _____

Phone: _____ Email address: _____

Address: _____

My professional training and/or licensure or certification, if applicable, is (check all that apply):

- | | |
|---------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| <input type="checkbox"/> Teacher, certified in the areas of: _____ | Illinois certified? <input type="checkbox"/> Y <input type="checkbox"/> N |
| <input type="checkbox"/> Clinical Psychologist | <input type="checkbox"/> School Psychologist |
| <input type="checkbox"/> Licensed Clinical Social Worker | <input type="checkbox"/> Licensed Social Worker |
| <input type="checkbox"/> School Social Worker | <input type="checkbox"/> Occupational Therapist |
| <input type="checkbox"/> Physical Therapist | <input type="checkbox"/> Speech/Language Pathologist |
| <input type="checkbox"/> Audiologist | <input type="checkbox"/> Psychiatrist |
| <input type="checkbox"/> Registered Nurse | <input type="checkbox"/> Certified School Nurse |
| <input type="checkbox"/> Other qualified professional (list credentials): _____ | |

I have been requested by the above named student's parent/guardian to conduct an evaluation of the student for the purpose of: _____

As part of this evaluation, I am requesting the following for the length of time noted (check all that apply):

Observation of student in the following classroom(s)/setting(s): _____
_____ Duration: _____

Opportunity to interview the following personnel believed to work with the student: _____
_____ Duration: _____

Opportunity to interview the student.

I will need more than one hour or one class period for my visit for the following reason(s): _____

Student records, as noted in the attached, signed Authorization to Release Student Record Information.

Acknowledgement *(To be completed by the person making the access request.)*

I understand that the School District will allow me reasonable access to the school, school facilities, or educational programs or individual(s) I have requested as related to the purpose of my visit. I have been provided with a copy of 6:120-AP2, *Access to Classrooms and Personnel*, and agree to comply with its terms and conditions. I further understand that during my visit, I must honor all students' confidentiality rights and refrain from any re-disclosure of such records.

Individual Requesting Access Signature

Date

Parent/Guardian Verification *(Must be completed whenever an independent evaluator or other qualified professional requests access.)*

I, _____, am the parent/guardian of the above-named student, and I confirm that I have requested an evaluation of my child by the individual named herein, for the stated purpose(s). If requested above, I consent to my child being interviewed by the named evaluator as part of this visit understanding that the District has not conducted a background check on the evaluator. I have no reason to believe the evaluator poses a safety risk to my child or others. I further understand and agree that it is my responsibility to notify the School District in writing if I end my working relationship with the named evaluator prior to the completion of the tasks outlined herein and that the School District otherwise will work with the evaluator to provide reasonable access to the school, school building, school facility, personnel, or my child at mutually agreed upon times and in a manner that is least disruptive to the school setting or my child's academic program.

Parent/Guardian Signature

Date

Instruction

Administrative Procedure – Service Animals

State and federal laws allow a student with a disability to be accompanied by a service animal that is individually trained to perform work or tasks for the benefit of a student. The animal may accompany the student to all school functions, whether in or outside the classroom. Use this procedure to identify and manage legal and practical issues when a student with a disability uses a service animal at school.

Definitions

Service Animal - A dog or miniature horse trained or being trained as a hearing animal, guide animal, assistance animal, seizure alert animal, mobility animal, psychiatric service animal, autism service animal, or animal otherwise trained to assist an individual with a physical, mental or intellectual disability, according to State law. 105 ILCS 5/14-6.02; 720 ILCS 5/48-8. Federal law defines *service animal* as any *dog* or *miniature horse* that is individually trained to perform tasks or work for the benefit of a student with a disability. 28 C.F.R. §§35.104 and 35.136. Federal law also explains that other species of animals, whether wild or domestic, trained or untrained, are not service animals.

Under federal law, *disability* includes a physical, sensory, psychiatric, intellectual, or other mental disability. The *work or tasks performed* must be directly related to the student's disability. Examples of work or tasks include, but are not limited to, assisting a student who is blind or has low vision with navigation and other tasks; alerting a student who is deaf or hard of hearing to the presence of people or sounds; providing non-violent protection or rescue work; pulling a wheelchair; assisting a student during a seizure; alerting a student to the presence of allergens; retrieving items such as medicine or the telephone; providing physical support and assistance with balance and stability to a student with mobility disabilities; and helping a student with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

For more information about the definition of *service animal*, see the following U.S. Dept. of Justice, Civil Rights Div., *Disability Rights Section*, documents:

Service Animals at: www.ada.gov/service_animals_2010.htm.

Frequently Asked Questions about Service Animals and the ADA at: www.ada.gov/regs2010/service_animal_qa.html.

Handler - An individual who has and maintains control over the service animal. This individual may be the student using the service animal. Control of the service animal means using a harness, leash, or other tether, unless the handler is unable because of a disability to use one of these devices or their use would interfere with the service animal's safe, effective performance of work or tasks. If or when these devices are not used, control of the service animal must be accomplished through voice control, signals, or other effective means.

Actor	Action
Parent/Guardian	<p>Informs the School District of the need for a service animal to accompany their disabled child to school.</p> <p>Cooperates with the District to successfully incorporate the service animal into the educational environment.</p>

Actor	Action
Superintendent or designee	<p>Discusses this procedure with the Building Principal, other appropriate administrative and special education staff, and the Board Attorney.</p> <p>The Board Attorney will be a necessary participant in the District’s efforts to manage the issues presented by service animals being used in school facilities. The Superintendent may want to authorize the Building Principal to consult with the Board Attorney as needed for this issue.</p> <p>Contacts the District’s insurance carrier(s) to assess appropriate coverage for issues involving service animals, including a handler.</p> <p>Informs all Building Principals and Special Education Coordinators that any disabled student has the right to be accompanied by a service animal “that is individually trained to perform tasks or work for the benefit of a student” at all school facilities or functions.</p> <p>105 ILCS 5/14-6.02 grants a student with a disability the right to bring a service animal to all school functions, whether in or outside the classroom. Schools must modify their policies, practices, or procedures to permit the use of a service animal by a student with a disability. 28 C.F.R. §35.136(a).</p> <p>Discusses 6:120-AP3, E1, Guidelines for Service Animals in School Facilities, with building principals and instructs them to: (1) inform their individual building staff of these guidelines when service animals are present in their individual buildings, and (2) use this exhibit as an internal District document to ensure legitimate safety interests of staff and students. It may not be used as an agreement between the District and its students and their parents/guardians as a condition of the student using a service animal.</p>
IEP and/or 504 Team	<p>For a student who is not already identified as disabled, follows the District’s evaluation procedures for determining whether a student is a student with a disability within the meaning of IDEA or Section 504. See Board policy 6:120, Education of Children with Disabilities.</p> <p>If a student does not qualify as a student with a disability, consult the Board Attorney before excluding the service animal from the school. This will ensure that there are not special circumstances that require the school to allow access despite a student’s non-disabled status.</p> <p>For a student with an IEP or Section 504 plan, or who qualifies for one, determines:</p> <ol style="list-style-type: none"> 1. Whether the service animal is a required related service to ensure the provision of a “free appropriate public education” (FAPE), and/or

Actor	Action
	<p>2. Whether the service animal is an appropriate reasonable accommodation for the student's disability.</p> <p>Permits the use of the service animal if the answer to either of the above questions is positive, i.e., determines that the service animal will perform tasks for the benefit of a student with a disability.</p> <p>Informs the parent/guardian that the student's service animal may accompany the student to school, and explains that the service animal must be under the control of its handler at all times and housebroken. 28 C.F.R. 35.136(b), and (d).</p> <p>If the school excludes the service animal:</p> <ol style="list-style-type: none"> 1. Notifies the parent/guardian in writing of the reasons for the exclusion and the right to appeal. Provides any required procedural safeguard notices. See 23 Ill.Admin.Code Part 226; 34 C.F.R. Parts 104 and 300; and 6:120-AP1, E1, Notice to Parents/Guardians Regarding Section 504 Rights. 2. Gives the student with a disability the opportunity to participate in all of the school's services, programs, or activities without having the service animal at the school facility.
Building Principal	<p>When notice of the need for a service animal in a school facility is provided:</p> <p>Balances student's need for the service animal and the legitimate safety interests of other students and staff by ensuring the service animal will meet the guidelines listed in 6:120-AP3, E1, Guidelines for Service Animals in School Facilities. Takes appropriate steps to inform the student's parent(s)/guardian(s) of any unmet guidelines and what actions must be taken to meet these guidelines and avoid exclusion of the service animal.</p> <p>Discusses 6:120-AP3, E1, with building staff. Requests to be immediately informed if the animal's behavior does not conform to these guidelines.</p> <p>Ensures that the District conducts a criminal background check on any handler(s) pursuant to policy 6:250, Community Resource Persons and Volunteers. See 6:250-AP, Securing and Screening Resource Persons and Volunteers, and 6:250-E, Resource Person and Volunteer Information Form and Waiver of Liability.</p> <p>ADA regulations, 28 C.F.R. §§35.130(f) and 35.136(h), and the Illinois White Cane Law, 775 ILCS 30/, both prohibit charging a disabled individual a deposit or a surcharge as a condition to allowing a service animal to accompany the disabled individual. Consult the Board Attorney about payment of any criminal background screening fees for an adult handler.</p>

Actor	Action
	<p>Creates a plan with the student’s parent/guardian and the handler for:</p> <ol style="list-style-type: none"> 1. Integrating the animal into the classroom and school environment (assemblies, cafeteria, library, etc.), and 2. Meeting the service animal’s basic needs during the school day. <p>Any plan depends on the individual student’s service animal arrangement, any management issues, and the schedules within each individual building. The school staff is not required to provide care or assistance except in special circumstances. See 28 C.F.R. §35.136(e). Consider addressing: where the animal will relieve itself, who disposes of the waste, where the animal drinks water, and who provides it, etc. Note: While the school is not required to provide staff to take the animal outside, it may need to provide a staff member to accompany a student outside if the student is the animal’s handler. See 28 C.F.R. §35.130(b)(7); <i>Alboniga v. Sch. Bd. of Broward Co. Fla.</i>, 87 F.Supp.3d 1319 (S.D. FL. 2015).</p> <p>Checks with the school nurse regarding any known allergies among students attending the school.</p> <p>Manages identified students’ competing educational interests by:</p> <ol style="list-style-type: none"> 1. With the Superintendent’s permission, consulting the Board Attorney. 2. Minimizing contact between any allergic students and the service animal. 3. Creating a method to monitor identified competing educational interests between students based upon the individual facts of the situation. 4. Responding to future unidentified competing educational interests and managing them immediately. 5. Modifying any other conditions as the individual facts of the situation require. <p>See <i>Kalbfleisch ex rel. v. Columbia Community Unit School District</i>, 396 Ill.App.3d 1105 (5th Dist. 2009), for a discussion about the balancing of interests. Other helpful publications include:</p> <p>The U.S. Dept. of Education’s Reasonable Accommodation Handbook, Section C10, provides information about balancing competing interests in the context of a service animal’s presence in the work environment. See: www2.ed.gov/policy/gen/leg/foia/acshbom3.pdf.</p> <p>The Ill. Attorney General Office’s Disability Rights Service Animals: A Guide for Illinois Businesses and Other Public Accommodations at: www.illinoisattorneygeneral.gov/rights/servanimals.html.</p>

Actor	Action
	<p>The U.S. Dept. of Justice’s Commonly Asked Questions about Service Animals in Places of Business at: www.ada.gov/qasrvc.htm.</p> <p>Facilitates the dissemination of accurate information about the presence of the service animal at school while respecting privacy rights.</p> <p>Considers creating a joint communication from the Building Principal and the parent/guardian of the student using a service animal. The communication should inform other students and their parents/guardians about the placement of a service animal in their educational setting.</p> <p>Providing a joint communication allows the school to exchange the information needed to balance competing educational interests without violating federal or State laws that govern student records. See the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, and its implementing rules at 34 C.F.R. Part 99; Ill. School Student Records Act, 105 ILCS 10/, and its implementing rules at 23 Ill.Admin.Code Part 375. FERPA prohibits schools from disclosing personally identifiable information from students’ education records without the consent of a parent or eligible student, unless an exception applies. See policy 7:340, Student Records.</p> <p>Prepares a list of answers to anticipated questions.</p> <p>Educates students, staff, and the community about the rights of students to use service animals in the school and the consequences for mistreatment of animals. See the Humane Care of Animals Act, 510 ILCS 70/4.03, 70/4.04, and 70/7.15 (makes it unlawful to meddle or tamper with a service dog or to tease, strike or mistreat one); White Cane Law, 775 ILCS 30/3 (makes it unlawful to interfere with the rights of a disabled person).</p> <p>Contacts the student’s parent/guardian if at any time the animal fails to meet the guidelines listed in 6:120-AP3, E1, Guidelines for Service Animals in School Facilities.</p> <p>When a service animal arrives at school without notice:</p> <p>Keeps the animal with the student if the service animal is obviously:</p> <ol style="list-style-type: none"> 1. Able to perform tasks or work for the benefit of a student with a disability, 2. Able to stay under the control of its handler and, if not, the handler can take effective action to control it, and 3. Housebroken. <p>Informs staff that the animal may not be taken away from the student.</p>

Actor	Action
	<p>Informs the parent/guardian of this procedure and requests their cooperation with the District to successfully incorporate the service animal into the educational environment.</p> <p>Excludes the animal and contacts the student's parent/guardian if the animal does not obviously meet the conditions in 6:120-AP3, E1.</p> <p>Contacts animal control if the Principal or designee believes the animal is not properly vaccinated, licensed, may be dangerous, or is sick.</p>

LEGAL REF.: 105 ILCS 5/14-6.02.
 Humane Care for Animals Act, 510 ILCS 70/.
 Illinois White Cane Law, 775 ILCS 30/.
 28 C.F.R. Part 35.
 28 C.F.R. §36.104.
 34 C.F.R. Parts 100 and 300.

Instruction

Administrative Procedure - Care of Students with Diabetes

The Ill. Council of School Attorneys prepared material for implementing the Care of Students with Diabetes Act (105 ILCS 145/, added by P.A. 96-1485). This material includes:

1. Sample procedures for the care of students with diabetes
2. Answers to FAQs on: process for selecting a delegated care aide; training; developing a diabetes care plan; classroom management; and sample authorization, release, and acknowledgement

The material is posted on the IASB website, iasb.com/law/diabmats.cfm.

School officials should periodically check the IASB website for updates to the material that are made in response to legislation or other developments.

Instruction

Program for the Gifted

The Superintendent or designee shall implement an education program for gifted and talented learners. If the State Superintendent of Education issues a Request for Proposals because sufficient State funding is available to support local programs of gifted education, the Superintendent or designee shall inform the Board concerning the feasibility and advisability of developing a “plan for gifted education” that would qualify for State funding.

Eligibility to participate in the gifted program shall not be conditioned upon race, religion, sex, disability, or any factor other than the student’s identification as gifted or talented learner.

In order to allow the School Board to monitor this policy, the Superintendent or designee shall report at least annually on the status of the District’s gifted program.

LEGAL REF.: 105 ILCS 5/14A-5 et seq.
23 Ill.Admin.Code Part 227.

Instruction

Education of Homeless Children

Each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, as provided to other children and youths, including a public pre-school education. A "homeless child" is defined as provided in the McKinney-Vento Homeless Assistance Act and State law. The Superintendent shall act as or appoint a Liaison for Homeless Children to coordinate this policy's implementation.

A homeless child may attend the District school that the child attended when permanently housed or in which the child was last enrolled. A homeless child living in any District school's attendance area may attend that school.

The Superintendent or designee shall review and revise rules or procedures that may act as barriers to the enrollment of homeless children and youths. In reviewing and revising such procedures, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship. Transportation shall be provided in accordance with the McKinney-Vento Homeless Assistance Act and State law. The Superintendent or designee shall give special attention to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school. If a child is denied enrollment or transportation under this policy, the Liaison for Homeless Children shall immediately refer the child or his or her parent/guardian to the ombudsperson appointed by the Regional Superintendent and provide the child or his or her parent/guardian with a written explanation for the denial. Whenever a child and his or her parent/guardian who initially share the housing of another person due to loss of housing, economic hardship, or a similar hardship continue to share the housing, the Liaison for Homeless Children shall, after the passage of 18 months and annually thereafter, conduct a review as to whether such hardship continues to exist in accordance with State law.

LEGAL REF.: McKinney-Vento Homeless Assistance Act, 42 U.S.C. § 11431 et seq.
105 ILCS 45/1-1 et seq.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:110 (Transportation), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:100 (Health, Eye, and Dental Examinations, Immunizations, and Exclusion of Students)

ADMIN. PROC.: 6:140-AP (Education of Homeless Children)

Instruction

Administrative Procedure - Education of Homeless Children

Actor	Action
<p>Superintendent Preliminary Steps</p>	<p>Serve as or designate an appropriate staff person, who may also be a coordinator for other federal programs, to serve as a Liaison for Homeless Children. [42 U.S.C. §11432 (g)(1)(J)(ii).]</p> <p>Under the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11434a), “homeless children” means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of Section 103(a)(1). The term includes:</p> <ol style="list-style-type: none"> 1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement; Note: Effective 12-10-16, Section §11434a(2) will no longer include children “awaiting foster care placement” within the definition of homeless children. 2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of Section 103(a)(2)(C); 3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and 4. Migratory children (as such term is defined in section 6399 of title 20) who qualify as homeless under this subtitle because the children are living in clauses (1) through (3) above. <p>Under the Ill. Education for Homeless Children Act, 105 ILCS 45/1-5, “homeless person, child, or youth” includes, but is not limited to, any of the following:</p> <ol style="list-style-type: none"> 1. An individual who lacks a fixed, regular, and adequate nighttime place of abode. 2. An individual who has a primary nighttime place of abode that is: <ol style="list-style-type: none"> a. A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing);

Actor	Action
	<ul style="list-style-type: none"> b. An institution that provides a temporary residence for individuals intended to be institutionalized; or c. A public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
<p>Liaison for Homeless Children</p> <p>Duties</p>	<p>Review and use the information provided at www.isbe.net/Pages/Homeless.aspx to become aware of the resources and training materials provided by the Illinois State Board of Education with regard to the education of homeless children. See www2.ed.gov/programs/homeless/legislation.html for the U.S. Dept. of Education's information about federal requirements.</p> <p>Ensure that homeless children and youths are identified by school personnel and through coordinated activities with other entities and agencies. [42 U.S.C. §11432(g)(6)(A)(i).]</p> <p>Ensure that homeless children and youths enroll in, and have full and equal opportunity to succeed in District programs. [42 U.S.C. §11432(g)(6)(A)(ii).]</p> <p>Ensure that homeless families, children, and youths receive educational services for which they are eligible and make referrals to health, mental health, dental, and other appropriate services. [42 U.S.C. §11432(g)(6)(A)(iii).]</p> <p>Inform parent(s)/guardian(s) of educational and related opportunities available to their child or ward, and provide them with meaningful opportunities to participate in their child or ward's education. [42 U.S.C. §11432(g)(6)(A)(iv).]</p> <p>Disseminate public notice of the educational rights of homeless students in the location where homeless children receive services (such as schools, family shelters, and soup kitchens). [42 U.S.C. §11432(g)(6)(A)(v).]</p> <p>Mediate enrollment disputes to:</p> <ul style="list-style-type: none"> a. Ensure the child/youth is immediately admitted to the school in which enrollment is sought, pending resolution of the dispute; b. Provide the homeless child/youth's parent/guardian with a written explanation of the school's decision regarding school selection or enrollment, including their rights to appeal the decision; c. Complete the dispute resolution process as expeditiously as possible; and d. In the case of an unaccompanied youth, ensure that the youth is immediately enrolled in school pending resolution of the dispute.

Actor	Action
	<p>42 U.S.C. §11432(g)(3)(E) and [42 U.S.C. §11432(g)(6)(A)(vi).]</p> <p>Fully inform the parent/guardian of a homeless child/youth, and any unaccompanied youth, of all transportation services and assist in accessing transportation services. [42 U.S.C. §11432(g)(6)(A)(vii).]</p> <p>Assist unaccompanied youth in placement/enrollment decisions, consider the youth's wishes in those decisions, and provide notice to the youth of the right to appeal such decisions. [42 U.S.C. §11432(g)(3)(B)(ii).]</p> <p>Assist children/youths who do not have immunizations or medical records in obtaining necessary immunizations and/or medical records. [42 U.S.C. §11432(g)(3)(C)(iii).]</p> <p>Collaborate with State and local social service agencies that provide services to the homeless as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths. [42 U.S.C. §11432(g)(5)(A) and (g)(6)(C).]</p> <p>Conduct a hardship review whenever a child and his or her parent/guardian who initially share the housing of another person due to loss of housing, economic hardship, or a similar hardship continue to share the housing; a hardship review should be performed after the passage of 18 months and annually thereafter. 105 ILCS 45/1-25(a-5).</p> <p>Refer the child or his or her parent/guardian to the ombudsperson appointed by the Regional Superintendent whenever a school denies a homeless child enrollment or transportation, and provide the child or his or her parent/guardian with a written statement of the basis for the denial. 105 ILCS 45/1-25(a).</p>

Actor	Action
Parent(s)/guardian(s) Assignment	Choose the child’s attendance center between the following options [105 ILCS 45/1-10 controls because it exceeds the rights granted to parent(s)/guardian(s) in federal law.]: <ul style="list-style-type: none"> a. Continuing the child’s education in the school of origin for as long as the child remains homeless or, if the child becomes permanently housed, until the end of the academic year during which the housing is acquired; or b. Enrolling the child in any school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend. The term “school of origin” means the school that the student attended when permanently housed or the school in which the student was last enrolled. [42 U.S.C. §11432(g)(3)(G) and 105 ILCS 45/1-5.]
Building Principal Where Homeless Student Will be Enrolled Enrollment	Shall immediately enroll the homeless child/youth, even if the child/youth is unable to produce records normally required for enrollment, e.g., previous academic records, medical records, proof of residency, or other documentation. [42 U.S.C. §11432(g)(3)(C)(i) and 105 ILCS 45/1-20.] Shall immediately contact the school last attended by the child/youth to obtain relevant academic and other records. [42 U.S.C. §11432(g)(3)(C)(ii) and 105 ILCS 45/1-10.] If the child/youth needs to obtain immunizations, or immunization or medical records, shall immediately refer the child/youth’s parent/guardian to the Liaison for Homeless Children. [42 U.S.C. §11432(g)(3)(C)(iii) and 105 ILCS 45/1-10.] Maintain records for the homeless child/youth that are ordinarily kept for students according to District policy and procedure on student school records. [42 U.S.C. §11432(g)(3)(D).] Ensure each homeless child/youth is provided services comparable to services offered to other students including the following: [42 U.S.C. §11432(g)(4).] <ul style="list-style-type: none"> a. Transportation services; b. Educational services for which the student meets the eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, educational programs for children with disabilities, and education programs for students with limited English proficiency; c. Programs in vocational and technical education; d. Programs for gifted and talented students; and

Actor	Action
	<p>e. School nutrition programs.</p> <p>Shall require a parent/guardian of a homeless child/youth, if available, to submit contact information. [42 U.S.C. §11432(g)(3)(H) and 105 ILCS 45/1-20.]</p>
<p>Transportation Director and Building Principal Where Homeless Student Will be Enrolled</p> <p>Transportation</p>	<p>Ensure transportation is provided a homeless child/youth, at the request of the parent/guardian (or in the case of an unaccompanied youth, the Liaison), to and from the school of origin. [42 U.S.C. §11432(g)(1)(J)(iii); State law, found at 105 ILCS 45/1-15, is superseded by federal law.] The term “school of origin” means the school that the student attended when permanently housed or the school in which the student was last enrolled. [42 U.S.C. §11432(g)(3)(G).] Transportation shall be arranged as follows:</p> <ol style="list-style-type: none"> 1. If the homeless child/youth continues to live in the area served by the school district in which the school of origin is located, the student’s transportation to and from the school of origin shall be provided or arranged by the district in which the school of origin is located. 2. If the homeless child/youth’s living arrangements in the area served by the district of origin terminate and the child/youth, though continuing his or her education in the school of origin, begins living in an area served by another school district, the district of origin and the district in which the homeless child/youth is living shall agree upon a method to apportion the responsibility and costs for providing the student with transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally. <p>42 U.S.C. §11432(g)(1)(J)(iii).</p>
<p>Superintendent or Designee</p> <p>Dispute</p>	<p>If a dispute arises, shall inform the homeless child/youth’s parent(s)/guardian(s) of the availability of an investigator, sources for low-cost or free legal assistance, and other advocacy services in the community.</p> <p>Each Regional Superintendent appoints an ombudsperson to provide resource information and resolve disputes at schools within his or her jurisdiction relating to the rights of homeless children under this Act. [105 ILCS 45/1-25, as amended by P.A. 94-235.] The Homeless Family Placement Act governs shelter placement. [310 ILCS 85/1 <u>et seq.</u>]</p>

Instruction

Migrant Students ¹

The Superintendent will develop and implement a program to address the needs of migrant children in the District.

This program will include a means to:

1. Identify migrant students and assess their educational and related health and social needs.
2. Provide a full range of services to migrant students including applicable Title I programs, special education, gifted education, vocational education, language programs, counseling programs and elective classes.
3. Provide migrant children with the opportunity to meet the same statewide assessment standards that all children are expected to meet.
4. Provide advocacy and outreach programs to migrant children and their families and professional development for District staff.
5. Provide parents/guardians an opportunity for meaningful participation in the program.

Migrant Education Program for Parent(s)/Guardian(s) Involvement

Parent(s)/guardian(s) of migrant students will be involved in and regularly consulted about the development, implementation, operation, and evaluation of the migrant program.

Parent(s)/guardian(s) of migrant students will receive instruction regarding their role in improving the academic achievement of their children.

LEGAL REF.: No Child Left Behind Act of 2001, §1301 et seq., 20 U.S.C. §6391 et seq.,
34 C.F.R. §200.40 - 200.45.
105 ILCS 5/14B-6.

CROSS REF.: 6:170 (Title I Programs)

¹ This policy is mandatory for districts that receive Title I funds. The No Child Left Behind Act of 2001 amended the Elementary and Secondary Education Act and imposed additional requirements on state agencies that disperse funds for many Title I programs. Although most of the requirements are directed to state agencies, local school districts that receive State money for these programs will be held to many of the same requirements by the State.

Instruction

Exhibit - Programs for Migrant Students - Family Interview Form

To be completed by Building Principal or designee: (please print)

Child 1 Name	Birth Date	Grade	School Dist / Bldg
Child 2 Name	Birth Date	Grade	School Dist / Bldg
Child 3 Name	Birth Date	Grade	School Dist / Bldg

Name of Parent/Guardian	Language(s)
Telephone Number or other contact information	Today's Date

Needs Assessment

Please circle or check response

- Do any of your children have health problems that interfere with their ability to learn? YES NO Explain:
- In what areas might your child(ren) need additional help in school?

	Reading	Math	Language	Other (Specify)
Child 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Child 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Child 3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
- Are your child(ren)'s immunizations up to date? YES NO Don't know
YES NO Don't know
- Do you have immunization records?
- Have you established a source of primary healthcare? YES NO

Resources and Referrals

1. Would you be interested in information on: *(please circle)*
- | | | | |
|---------------------|-----|----|------------------|
| Head Start | YES | NO | Already Enrolled |
| District Preschool | YES | NO | Already Enrolled |
| Parents as Teachers | YES | NO | Already Enrolled |
| GED/ESL Classes | YES | NO | Already Enrolled |
2. Would you be interested in information on:
- | | | | |
|-----------------------------|-----|----|---------------------|
| Public/County Health Dept. | YES | NO | |
| Division of Family Services | YES | NO | Welcome Pack Given? |
3. May we share your name and address with these agencies? YES NO
4. When is the best time to reach you at home? AM PM Days of the week:
____:____ ____:____ Mo Tu We Th Fr
—

Name of Person Completing
Form

Name of Person Being Interviewed and
His/Her Relationship to Family/Children

Instruction

Home and Hospital Instruction

A student who is absent from school, or whose physician anticipates that the student will be absent from school, because of a medical condition may be eligible for instruction in the student's home or hospital. Eligibility shall be determined by State law and the Illinois State Board of Education rule governing the continuum of placement options for home/hospital services. Appropriate educational services from qualified will begin no later than 5 school days after receiving a physician's written statement. Instructional or related services for a student receiving special education services will be determined by the student's individualized education program.

A student who is unable to attend school because of pregnancy will be provided home instruction, correspondence courses, or other courses of instruction (1) before the birth of the child when the student's physician indicates, in writing, that she is medically unable to attend regular classroom instruction, and (2) for up to 3 months after the child's birth or a miscarriage.

Periodic conferences will be held between appropriate school personnel, parent(s)/guardian(s), and hospital staff to coordinate course work and facilitate a student's return to school.

LEGAL REF.: 23 Ill. Admin. Code §§1.610 and 226.300.
105 ILCS 5/10-22.6a, 5/14-13.01, 5/18-4.5, and 5/18-8.05.

CROSS REF.: 6:120 (Education of Children with Disabilities), 7:10 (Equal Educational Opportunity), 7:280 (Communicable and Chronic Infectious Disease)

Students

English Learners

The District offers opportunities for resident English Learners to develop high levels of academic attainment in English and to meet the same academic content and student academic achievement standards that all children are expected to attain. The Superintendent or designee shall develop and maintain a program for English Learners that will:

1. Assist all English Learners to achieve English proficiency, facilitate effective communication in English, and encourage their full participation in school activities and programs as well as promote participation by the parents/guardians of English Learners.
2. Appropriately identify students with limited English-speaking ability.
3. Comply with State law regarding Transitional Bilingual Educational program (TBE) or Transitional Program of Instruction (TPI), whichever is applicable.
4. Comply with any applicable State and federal requirements for the receipt of grant money for English Language and programs to serve them.
5. Determine the appropriate instructional program and environment for English Learners.
6. Annually assess the English proficiency of English Learners and monitor their progress in order to determine their readiness for a mainstream classroom environment.
7. Include English Learners, to the extent required by State and federal law, in the District's student assessment program to measure their achievement in reading/language arts and mathematics.
8. Provide information to the parents/guardians of English Learners about: (1) the reasons for their child's identification, (2) their child's level of English proficiency, (3) the method of instruction to be used, (4) how the program will meet their child's needs, (5) specific exit requirements of the program, (6) how the program will meet their child's individual education program (IEP), if applicable, and (7) information on parent/guardian rights. Parents/guardians will be regularly appraised of their child's progress and involvement will be encouraged.

Parent Involvement

Parents/guardians of English Learners will be: (1) given an opportunity to provide input to the program, and (2) provided notification regarding their child's placement in, and information about, the District's English Learners program.

LEGAL REF.: 20 U.S.C. §§6312-6319 and 6801.
34 C.F.R. Part 200.
105 ILCS 5/14C-1 et seq.
23 Ill.Admin.Code Part 228.

CROSS REF.: 6:15 (School Accountability), 6:170 (Title I Programs), 6:340 (Student Testing and Assessment Program)

Instruction

Title I Programs ^{1 2}

The Superintendent or designee shall pursue funding under Title I, Improving the Academic Achievement of the Disadvantaged, of the Elementary and Secondary Education Act, to supplement instructional services and activities in order to improve the educational opportunities of educationally disadvantaged or deprived children.

All District schools, regardless of whether they receive Title I funds, shall provide services that, taken as a whole, are substantially comparable. Teachers, administrators, and other staff shall be assigned to schools in a manner that ensures equivalency among the District's schools. Curriculum materials and instructional supplies shall be provided in a manner that ensures equivalency among the District's schools. ³

Title I Parental Involvement

The District maintains programs, activities, and procedures for the involvement of parents/guardians of students receiving services, or enrolled in programs, under Title I. These programs, activities, and procedures are described in District-level and School-level compacts.

District-Level Parental Involvement Compact ⁴

The Superintendent or designee shall develop a District-Level Parental Involvement Compact according to Title I requirements. The District-Level Parental Involvement Compact shall contain: (1) the District's expectations for parental involvement, (2) specific strategies for effective parent involvement activities to improve student academic achievement and school performance, and (3) other provisions as required by federal law. The Superintendent or designee shall ensure that the Compact is distributed to parents/guardians of students receiving services, or enrolled in programs, under Title I.

¹ State or federal law controls this policy's content.

² **This policy is mandatory for any district that receives, or desires to receive Title I funds.** Title I is part of the Elementary and Secondary Education Act (20 U.S.C. § 6301 et seq.). It was amended by the No Child Left Behind Act of 2001 (P.L.107-110).

³ This paragraph, or similar language, is mandatory for each district receiving Title I funds (20 U.S.C. § 6321).

⁴ §1118(a)(2) requires each district receiving Title I funds to "develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy." This requirement is accomplished in this sample policy by mandating the superintendent or designee to develop a District-Level Parental Involvement Compact, according to Title I requirements. A sample District-Level Parental Involvement Compact is contained in 6:170-E1. A sample process for developing a Parental Involvement Compact is contained in 6:170-AP1.

School-Level Parental Involvement Compact ⁵

Each Building Principal or designee shall develop a School-Level Parental Involvement Compact according to Title I requirements. This School-Level Parental Involvement Compact shall contain: (1) a process for continually involving parents/guardians in its development and implementation, (2) how parents/guardians, the entire school staff, and students share the responsibility for improved student academic achievement, (3) the means by which the school and parents/guardians build and develop a partnership to help children achieve the State's high standards, and (4) other provisions as required by federal law. Each Building Principal or designee shall ensure that the Compact is distributed to parents/guardians of students receiving services, or enrolled in programs, under Title I.

Incorporated
by Reference

6:170-E1 (District-Level Parental Involvement Compact) and 6:170-E2
(School-Level Parental Involvement Compact)

LEGAL REF.:

Title I of the Elementary and Secondary Education Act, 20 U.S.C. §
6301-6514.

CROSS REF.:

2:260 (Uniform Grievance Procedure), 4:110 (Transportation), 5:190
(Certification), 5:280 (Duties and Qualifications), 6:15 (School
Accountability), 6:140 (Education of Homeless Children), 6:145 (Migrant
Students), 6:160 (Limited English Proficient Students), 7:10 (Equal
Educational Opportunities), 7:30 (Student Assignment), 7:60 (Residence),
7:100 (Health Examinations, Immunizations, and Exclusion of Students),
8:95 (Parental Involvement)

⁵ § 1118(b) requires each school served under Title I to "jointly develop with, and distribute to, parents of participating children a written parent involvement policy, agreed on by such parents, that shall describe the means for carrying out the requirements of subsections (c) through (f)." This requirement is accomplished in this sample policy by mandating the building principal or designee to develop a School-Level Parental Involvement Compact, according to Title I requirements. A sample School-Level Parental Involvement Compact is contained in 6:170-E2. A sample process for developing a Parental Involvement Compact is contained in 6:170-AP1.

Instruction

Administrative Procedure - Checklist for Development, Implementation, and Maintenance of Parent Involvement Compacts for Title I Programs ¹

The development, implementation, and maintenance of parent/guardian involvement compacts must be accomplished with meaningful consultation with parents/guardians of children participating in Title I programs. The Superintendent designates a person to be responsible for the process of obtaining meaningful consultation. This checklist includes some measures designed to encourage meaningful consultation.

This is an annual checklist. *Check steps as completed.*

- Plan regular meetings throughout the school year with parents/guardians to discuss the District and/or school compacts; identify dates, convenient times, places, and persons whose attendance is desired. Offer meetings in the morning or evening, and, if funds are available under Title I for this purpose, provide transportation, childcare, or home visits, as such services relate to parent/guardian involvement.
- Plan an agenda for meetings to be held to discuss District and/or school compacts.
 - Always begin with “introducing where we are now” and end with “next steps.”
 - Agendas should provide for 2-way communication between District and parents/guardians of children participating in Title I programs.
 - Agendas can be built around the federal compliance requirements as stated in the IASB sample district- and school- level compacts.
 - Agendas should also include a section to inform parents/guardians of their school's participation under Title I and to explain Title I's requirements regarding parent involvement, including the right of the parents/guardians to be involved.
 - Agendas should also include a section to describe and explain the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet.
 - If requested by a parent/guardian, agendas should also include a section for parents/guardians to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children.
 - Agendas should also include a section to involve parents/guardians in the planning, review, and improvement of Title I programs, including the joint development of the schoolwide program plan under §1114(b)(2).
 - Another agenda topic is how funds are allotted for parent/guardian involvement in activities; parents/guardians of children receiving services must be involved in these decisions.
- Notify interested persons of meeting dates to discuss the District and/or school compacts, including:
 - Parents/guardians of student's participating in Title I programs
 - Staff members
 - Students participating in Title I programs

¹ See §1118, NCLB. This administrative procedure should be used along with 6:170-E1 (District-Level Parental Involvement Compact) and 6:170-E2 (School-Level Parental Involvement Compact), but only by those districts receiving Title I funds.

- School Board members
 - Media
 - Coordinators for other school programs, (e.g. Head Start and preschool programs)
 - Other
- Publicize the meeting dates, times, and locations to discuss District and/or school compacts.
 - Make all Open Meetings Act notifications and postings for meetings to be held to discuss District and/or school compacts. (Note: it is wise to assume these meetings will be in open session if Board members are expected to attend.)
 - Appoint a recording secretary to keep meeting minutes.
 - Provide copies of working drafts to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand.
 - Determine “success” indicators to measure the effectiveness of the parental involvement compacts in improving the academic quality of the schools.
 - Review the “success” indicators in order to evaluate the effectiveness of the parental involvement compacts in improving the academic quality of the schools.
 - Identify barriers to greater participation by parents/guardians, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background. Use the findings of such evaluation to design strategies for more effective parent/guardian involvement.
 - If the schoolwide program plan under section 1114(b)(2) is not satisfactory to the parents/guardians of participating children, submit any parents/guardians comments on the plan when the school makes the plan available to the School Board.
 - Provide status reports to the School Board and, periodically, request the Board’s approval of the parental involvement compacts as it evolves.
 - Revise the applicable parental involvement compacts as necessary.

Instruction

Administrative Procedure - Notice to Parents Required by No Child Left Behind Act of 2001¹

Improving Basic Programs Operated by Local Educational Agencies

1. As required by NCLB §1111(h)(6)(A): At the beginning of each school year, a school district that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the district will provide the parents on request, information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:
 - a. Whether the teacher has met the State qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
 - b. Whether the teacher is teaching under emergency or other provisional status.
 - c. The teacher's baccalaureate degree major and any other graduate certifications or degrees.
 - d. Whether paraprofessionals provide services to the student and, if so, their qualifications.
2. As required by NCLB §1111(h)(6)(B)(i): Districts must provide to parents information on the level of achievement of the parent's child in each of the State academic assessments.
3. As required by NCLB §1111(h)(6)(B)(ii): Districts must provide parents timely notice that the parent's child has been assigned, or has been taught for 4 or more consecutive weeks by, a teacher who is not highly qualified.

Limited English Proficient Students

1. As required by NCLB §1112(g)(l)(A) and (g)(2), and §3302(a): Districts must inform a parent of a limited English proficient child identified for participation, or participating in, such a program of the reasons for their child being identified, their child's level of English proficiency, instructional method, how their child's program will meet their child's needs, how the program will help the child to learn English, exit requirements for the program to meet the objectives of any limited English proficiency, and information regarding parental rights.
2. As required by NCLB §1112(g)(l)(B), and §3302(b): Each district using funds provided under this part to provide a language instruction educational program that has failed to make progress on the annual measurable achievement objectives described in section 3122 for any fiscal year for which part A is in effect, shall separately inform the parents of a child identified for participation in such a program, or participating in such program, of such failure not later than 30 days after such failure occurs.

¹ This list of parental notice requirements may not be exhaustive; contact the ISBE, Regional Superintendent, or the District's attorney for further information. The only notices applying to districts that do **not** receive Title I funds are those regarding student privacy. The notices described in this administrative procedure are paraphrased; please see the specific NCLB section cited for the exact requirements.

3. As required by NCLB §1112(g)(4) and §3302(e): Each district shall implement an effective means of outreach to parents of limited English proficient students to inform the parents regarding how they can be involved in their children's education, and be active participants in assisting their children to attain English proficiency, achieve at high levels in core academic subjects, and meet challenging State academic achievement standards and State academic content standards expected of all students. In addition, the outreach shall include holding, and sending notice of opportunities for, regular meetings for formulating and responding to parent recommendations.

Academic Assessment and Local Education Agency and School Improvement

1. As required by NCLB §1116(b)(6): Districts shall promptly provide to parents of each student enrolled in an elementary school or a secondary school identified for school improvement under §1116(b)(1)(E)(i), for corrective action under §1116(b)(7)(C)(i), or for restructuring under §1116(b)(8)(A)(i).
 - a. An explanation of what the identification means, and how the school compares in terms of academic achievement to other district schools and the State educational agency;
 - b. The reasons for the identification;
 - c. An explanation of what the school identified for school improvement is doing to address the problem;
 - d. An explanation of what the district or State educational agency is doing to help the school address the achievement problem;
 - e. An explanation of how the parents can become involved in addressing the academic issues that caused the school to be identified for school improvement; and
 - f. An explanation of the parents' option to transfer their child to another public school under paragraphs (1)(E), (5)(A), (7)(C)(i), (8)(A)(i), and subsection (c)(10)(C)(vii) (with transportation provided by the agency when required by paragraph (9)) or to obtain supplemental educational services for the child, in accordance with subsection (e).
2. As required by NCLB §1116(b)(8)(c): Whenever the school fails to make adequate yearly progress and/or is restructured, the district shall provide the teachers and parents with an adequate opportunity to comment and participate in developing a plan.
3. As required by NCLB §1116(e)(2)(A): The district shall provide annual notice to parents of each student enrolled in an elementary school or a secondary school identified for school improvement under §1116(b)(1)(E)(i), for corrective action under §1116(b)(7)(C)(i), or for restructuring under §1116(b)(8)(A)(i).:
 - a. The availability of supplemental education services;
 - b. The identity of approved providers that are within the district or whose services are reasonably available in neighboring districts; and
 - c. A brief description of those services, qualifications, and demonstrated effectiveness of each such provider.

Parental Involvement

1. As required by NCLB §1118(b): Parents shall be notified of the parental involvement policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents can understand. Such policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school.
2. As required by NCLB §1118(c): Each school shall:
 - a. Convene an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation, and to explain the requirements of this part, and the right of the parents to be involved;
 - b. Offer a flexible number of meetings;
 - c. Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs including the planning, review, and improvements of the school parental involvement policy and the joint development of the schoolwide program plan under §1114(b)(2);
 - d. Provide parents of participating children:
 - Timely information about programs under this part;
 - A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and
 - If requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible.

Voluntary Public School Choice Program

As required by NCLB §5245(a): The district shall provide to parents of students in the area to be served by the Voluntary Public School Choice program with prompt notice of:

- a. The existence of the program;
- b. The program's availability; and
- c. A clear explanation of how the program will operate.

Education of Homeless Children and Youths

1. As required by NCLB §722(e)(3)(C): The district shall provide written notice, at the time any homeless child or youth seeks enrollment in such school, and at least twice annually while the child or youth is enrolled in such school, to the parent or guardian of the child or youth (or, in the case of an unaccompanied youth, the youth) that:
 - a. Shall be signed by the parent or guardian;
 - b. Sets the general rights provided under this subtitle;
 - c. Specifically states:
 - The choice of schools homeless children and youths are eligible to attend,
 - That no homeless child or youth is required to attend a separate school for homeless children or youths,

- That homeless children and youths shall be provided comparable services including transportation services, educational services, and meals through school meals programs; and
 - That homeless children and youths should not be stigmatized by school personnel; and,
- d. Includes contact information for the local liaison for homeless children and youths.
2. As required by NCLB §722(g)(2)(B)(iii): In the case of an unaccompanied homeless youth, the district shall ensure that the homeless liaison assists in placement or enrollment decisions under this subparagraph, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.
 3. As required by NCLB §722(g)(6)(A)(iv): Each district shall ensure that public notice of the educational rights of homeless children is disseminated where such children and youths receive services under this Act, such as schools, family shelters, and soup kitchens.

Student Privacy

1. As required by NCLB §1061(c)(2)(A): The student privacy policies developed by a district shall provide for reasonable notice of the adoption or continued use of such policies directly to the parents of students enrolled in schools served by that district. At a minimum, the district shall:
 - a. Provide such notice at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in such policies; and
 - b. Offer an opportunity for the parent to opt the student out of the activity.
2. As required by NCLB §1061(c)(2): All districts shall provide reasonable notice of such existing policies to parents and guardians of students, e.g. “The Board has adopted and continues to use policies regarding student privacy, parental access to information, and administration of certain physical examinations to minors. *(Copies of those policies are available on request.)*”

Instruction

Administrative Procedure - No Child Left Behind Checklist

The tables below are organized by NCLB topic and list sample policies, procedures, and exhibits.

School Accountability

1:20-AP	Administrative Procedure - Checklist for Handling Intergovernmental Agreement Requests	Contains issues to consider when requested to enter into an intergovernmental agreement for receiving school choice transferees. August 2002; August 2007
6:15	School Accountability	Includes a section on school choice and supplemental services. August 2002; February 2004; June 2009
6:15-AP	Administrative Procedure - School Choice and Supplemental Educational Services	Contains web links to resources including sample parental notices. June 2009
6:15-AP1	Administrative Procedure - Consequences for a SCHOOL Missing Adequate Yearly Progress	February 2004; February 2005; October 2006; Deleted June 2009
6:15-AP2	Administrative Procedure - Consequences for a DISTRICT Missing Adequate yearly Progress	February 2004; February 2005, October 2006; Deleted June 2009
6:15-AP3	Administrative Procedure - School Choice for Students Enrolled in a School Identified for Improvement, Corrective Action, or Restructuring	March 2004; Deleted June 2009 . See 6:15-AP, <i>Administrative Procedure - School Choice and Supplemental Educational Services</i> , for web links to ISBE resources and sample parent notices.
6:15-AP4	Administrative Procedure - Compliance Steps for Providing Supplemental Educational Services	March 2004; Deleted June 2009 . See 6:15-AP, <i>Administrative Procedure - School Choice and Supplemental Educational Services</i> , for web-web links to ISBE resources and sample parent notices.
6:15-E	Exhibit - Resolution Declining Requests to Accept Non-Resident Choice Students	March 2004; June 2009
6:15-E2	Exhibit - Notice to Parents of	July 2004; Deleted June 2009 . See 6:15-AP,

School Accountability

	Children Enrolled in a School that Missed AYP for Two or More Consecutive Years	<i>Administrative Procedure - School Choice and Supplemental Educational Services</i> , for web links to ISBE resources and sample parent notices.
6:15-E3	Exhibit - Application for School Choice Transfer Option	July 2004; Deleted June 2009 . See 6:15-AP, <i>Administrative Procedure - School Choice and Supplemental Educational Services</i> , for web links to ISBE resources and sample parent notices.
6:15-E4	Exhibit - Application for Supplemental Educational Services	July 2004; Deleted June 2009 . See 6:15-AP, <i>Administrative Procedure - School Choice and Supplemental Educational Services</i> , for web links to ISBE resources and sample parent notices.
7:30	Student Assignment and Intra-District Transfer	August 2003; February 2008

Teachers and Paraprofessionals

5:190	Professional Personnel - Teacher Qualifications	Includes <i>highly qualified</i> as employment criteria; refers to ISBE's "Illinois Criteria for Meeting the NCLB Requirements for Highly Qualified Teachers." May 2003; March 2004; February 2008
5:190-AP	Administrative Procedure - Plan to Ensure that All Teachers Who Teach Core Academic Subjects Are Highly Qualified" By the End of the 2005-2006 School Year	May 2003; February 2008
5:190-E1	Exhibit - Notice to Parents of Their Right to Request a Classroom Teachers' Qualifications	Informs parents of their right to receive certain information regarding their children's teachers. May 2003; February 2008
5:190-E2	Exhibit - Notice to Parent When Their Student Is Assigned To, or Has Been Taught for at Least Four Straight Weeks By, A Teacher Who Is Not Highly Qualified	May 2003; February 2008

Teachers and Paraprofessionals

5:190-E3	Letter to Teacher Who Fails to Meet the Federal Definition of "Highly Qualified"	August 2003; February 2008
5:280	Educational Support Personnel - Duties and Qualifications	Requires paraprofessionals to have the "duties and qualifications" as described in Title I of the Elementary and Secondary Education Act. May 2003; July 2004; February 2006
5:280-AP	Administrative Procedure - Paraprofessionals Working in a Program Supported With Title I Funds	Quotes NCLB; provides sample language to inform paraprofessionals of the requirements. June 2002; Deleted August 2007

Parental Involvement

6:170	Title I Programs	Complies with NCLB; includes a section on parental involvement. August 2002; February 2008
6:170-AP1	Administrative Procedure - Checklist for Development, Implementation, and Maintenance of Parental Involvement Compacts in Title I Programs	August 2002; August 2007
6:170-AP2	Administrative Procedure - Notices to Parents Required by No Child Left Behind Act of 2001	Gives districts a reference guide to notice requirements for districts that receive Title I funds. August 2002; August 2007
6:170-E1	Exhibit - District Level Parental Involvement Compact in Title I Programs	August 2002; August 2007
6:170-E2	Exhibit - School Level Parental Involvement Compact in Title I Programs	Incorporated by reference in 6:170 and may be used as a template. August 2002; August 2007

McKinney Homeless Assistance Act

2:260	Uniform Grievance Procedure	Provides complaint procedure for Title I as well as the McKinney Homeless Assistance Act. January 2003; October 2003; July 2006, October 2007; June 2009
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McKinney Homeless Assistance Act

4:110	Transportation	January 2003; March 2004; February 2008
6:140	Education of Homeless Children	Contains the basic requirements of State law as well as the McKinney Homeless Assistance Act. January 2003; October 2005
6:140-AP	Administrative Procedure - Education of Homeless Children	Contains procedures in actor-action format regarding educating homeless children. January 2003; October 2005
7:10	Equal Educational Opportunities	Specifically includes "status as a homeless youth" as a protected classification. January 2003; October 2008
7:50	School Admissions and Student Transfers To and From Non-District Schools	Requires immediate admission of homeless children pursuant to the McKinney Homeless Assistance Act. January 2003; October 2004; June 2005; October 2008
7:60	Residence	Requires immediate admission of homeless children pursuant to the McKinney Homeless Assistance Act. January 2003; October 2004; October 2005; February 2009
7:100	Health Examinations, Immunizations, and Exclusion of Students	Requires immediate admission of homeless children pursuant to the McKinney Homeless Assistance Act. June 2002; October 2005; October 2008

Migrant Student

6:145	Migrant Students	Addresses NCLB, 20 U.S.C. §6391 <u>et seq.</u> and requires the superintendent to develop a program addressing the needs of migratory children. August 2002; March 2007
6:145-E	Exhibit - Programs for Migrant Students - Family Interview Form	August 2002; Deleted July 2006

Persistently Dangerous School and Choice for Victim of Violent Crime

4:170	Safety	Contains provisions on Unsafe School Choice Option. March 2004; October 2006; February 2009
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Persistently Dangerous School and Choice for Victim of Violent Crime

4:170-AP5	Administrative Procedure - Unsafe School Choice Option	Complies with §9532 of NCLB, 20 U.S.C. §7912. August 2003; March 2004; June 2009
7:30	Student Assignment and Intra-District Transfer	Refers to district policy on the Unsafe School Choice Option contained in 4:170 and 4:170-AP5. August 2003; February 2008

Limited English Proficiency Students

6:160	English Language Learners	Implements NCLB, §§3001-3004, 20 U.S.C. §§6312-19; 6801 <u>et seq.</u> and requires the superintendent to develop and implement a program to address the needs of children with limited English language proficiency. August 2002; March 2007; October 2008
6:160-E1	Exhibit - Student Home Language Survey	May 2003; Deleted March 2007
6:160-E2	Exhibit - Notice to Parents of Student's Identified as Limited English Proficient	Complies with the NCLB's requirement that schools notify parents of their student's placement in a LEP program. May 2003; Deleted March 2007

Protection of Pupil Rights Act

7:15	Student and Family Privacy Rights	Complies with the Protection of Pupil Rights Act [20 U.S.C. §1232h(c)(1)(E)] as well as 2 state laws. June 2002; March 2004; February 2008
7:15-E	Exhibit - Notification to Parents of Family Privacy Rights	Notifies parents/guardians of privacy rights policy. June 2002; March 2004; March 2007

Military Recruiter Access to Students

7:340	Student Records	June 2002; March 2004; July 2006; October 2008
7:340-AP	Administrative Procedure - Student Records	Contains provision on access rights of military recruiters and institutions of higher learning. June 2002; June 2005
7:340-E1	Exhibit - Notification to Parents and Students of Rights Concerning a Student's School Records	Includes right to refuse all release of directory information to military recruiters. May 2003; February 2006

Military Recruiter Access to Students

7:340-E3	Exhibit - Letter to Parents/Guardians Regarding Military Recruiter and Postsecondary Institutions Receiving Student Directory Information	Contains a form for parents to complete if they do not want military recruiters and/or institutions of higher learning to be given their secondary school student's name, address, and telephone numbers. May 2003; June 2008
7:340-E4	Exhibit - FAQ's Regarding Military Recruiter Access to Students and Student Information	Answers many questions for school staff members and may be distributed at will. May 2003; June 2008

No Policy Prohibiting Student Prayer

7:130	Student Rights and Responsibilities	States that student rights include the right to pray. September 2002; March 2007
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Boy Scouts Access to School Facilities

8:20	Community Use of School Facilities	Footnotes discuss NCLB, 20 U.S.C. §7905. Schools are prohibited from denying equal access to school facilities to the Boy Scouts or any other youth group "for reasons based on membership or leadership criteria or oath of allegiance to God and country." August 2002; March 2004; October 2007
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Instruction

Exhibit - District-Level Parental Involvement Compact ¹

This District-level compact provides an understanding of the joint responsibility of the District and parents/guardians to improve students' academic achievement and school performance. To that end, the District provides opportunities for parents/guardians involvement at the District level by:

1. The District involves parents/guardians in the joint development of the District's plan to help low-achieving children meet challenging achievement and academic standards (NCLBA §1112), and the process of school review and improvement (NCLBA §1116) by:
 - Establishing a District-level committee with parents/guardians liaisons from each building as well as representatives from other impacted programs, including Head Start.
 - Establishing meaningful, ongoing two-way communication between the District, staff and parents/guardians.
 - Developing a District newsletter to communicate to parents/guardians about the plan and seek their input and participation.
 - Training personnel on how to collaborate effectively with families with diverse backgrounds that may impede parents/guardians participation (e.g. illiteracy or language difficulty).
2. The District provides the coordination, technical assistance, and other support necessary to assist participating schools in planning and implementing effective parents/guardians involvement activities to improve student academic achievement and school performance by:
 - Providing ongoing District-level workshops to assist buildings in planning and implementing improvement strategies.
 - Establishing training programs for building liaisons to bring the communication and facilitation skills to the buildings they represent.
 - Providing information to parents/guardians about the various assessment tools and instruments that will be developed to monitor progress.
 - Seeking input from parents/guardians in developing workshops.
3. The District builds the capacity of schools and parents/guardians for strong parental involvement by:
 - Providing ongoing communication about the District-wide committee through District newsletters or other written or electronically communicated means.
 - Engaging the building PTO's to actively seek out and involve parents/guardians through regular communication updates and information sessions.
 - Utilizing PTO's to assist in identifying effective communication strategies based on their members' needs.

¹ This exhibit should be used along with 6:170-E2 (School-Level Parental Involvement Compact in Title I Programs), but only by those districts receiving Title I funds. Everything in this compact is required; the numbered paragraphs correspond to requirements in NCLB §1118(a)(2)(A)-(F). Each district must, with parents, develop its own process for accomplishing everything listed.

- Providing a master calendar of District meetings to discuss pertinent topics.
4. The District coordinates and integrates parents/guardians involvement strategies under this compact with parents/guardians involvement strategies under other programs, (such as the Head Start program, Reading First program, Early Reading First program, Even Start program, Parents as Teachers program, and Home Instruction Program for Preschool Youngsters, and State-run preschool programs) by:
 - Involving District and building representatives from other programs to assist in identifying specific population needs.
 - Sharing data from other programs to assist in developing new initiatives to improve academic achievement and school improvement.
 5. The District conducts, with the involvement of parents/guardians, an annual evaluation of the content and effectiveness of the parents/guardians involvement policy in improving the academic quality of the schools served under Title I, including identifying barriers to greater participation by parents/guardians in activities authorized by this section (with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background), and use the findings of such evaluation to design strategies for more effective parents/guardians involvement, and to revise, if necessary, the parents/guardians involvement policies described in this section by:
 - Evaluating the effectiveness of the content and communication methods through a variety of methods, including: focus groups, surveys, workshops, and informal coffees with District and building administrative staff, parents/guardians, and teachers.
 - Identifying barriers to effective evaluation by language support or other assistance as needed.
 - Identifying potential policy and compact changes to revise and improve program(s).
 6. The District involves parents/guardians in the activities of the schools served under Title I by:
 - Providing communication and calendar information to parents/guardians of upcoming meetings, discussions or events and encouraging their participation.
 - Providing Building Principal and PTO coordination of events.

Instruction

Exhibit - School-Level Parental Involvement Compact ¹

This school-level parent involvement compact provides an understanding of the joint responsibility of the District and parents/guardians for improving student academic achievement and school performance. The District provides opportunities for parent/guardian involvement by:

Parent/Guardian Involvement ²

1. Convening an annual meeting, at a convenient time, to which all parents/guardians of participating children are invited and encouraged to attend, to inform parents/guardians of their school's participation under Title I and to explain the requirements of Title I, and the right of the parents/guardians to be involved. The Building Principal or designee shall:
 - Invite all parents/guardians of participating children to the annual meeting at school.
 - Explain the rights of parents/guardians to be involved in establishing this compact.
 - Introduce and involve the building representatives on the District-level committee.
 - Provide an overview of Title I and give parents/guardians an opportunity to express questions and concerns.
 - Indicate the mechanisms by which the committee work will be communicated.
 - Seek the involvement and input of parents/guardians.
 - Provide child care so that all parents/guardians who would otherwise be unable to attend may attend.
2. Offering a flexible number of meetings, such as meetings in the morning or evening, and may provide, with funds provided under this part, transportation, child care, or home visits, as such services relate to parental involvement. The Building Principal or designee shall:
 - Provide parents/guardians with opportunities to ask questions and dialogue informally about student academic achievement and school performance.
 - Engage building-based parent organizations to assist with communication and implementation needs.
 - Develop and use outreach programs to involve community groups and organizations.
3. Involving parents/guardians in an organized, ongoing, and timely way, in the planning, review, and improvement of programs under Title I, including the planning, review, and improvement of the school parental involvement policy and the joint development of the school wide program plan (under NCLBA §1114(b)(2), except that if a school has in place a process for involving parents/guardians in the joint planning and design of the school's programs, the school may use that process, if such process includes an adequate representation of parents/guardians of participating children. The Building Principal or designee shall:
 - Identify and establish a process by which an adequate representation of parents/guardians of participating children can occur.

¹ The numbered paragraphs correspond to requirements in NCLB §1118(b)-(f) and are all mandatory inclusions. The items in bullets are merely ideas; each district must, with parents, develop its own process for accomplishing the respective numbered paragraph. This exhibit should be used along with 6:170-E1 (District-Level Parental Involvement Compact), but only by those districts receiving Title I funds.

² NCLB §1118(c)

- Establish a schedule for the building-based committee to plan, review, and recommend improvements to the District parent involvement policy.
4. The Building Principal or designee shall:
 - Provide parents/guardians of participating children timely information about programs.
 - Communicate updates through use of school newsletters, the District web site, e-mail and telephone contact, and home visits if needed.
 5. The Building Principal or designee will provide a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet.
 6. The Building Principal or designee shall:
 - Provide parents/guardians, upon request, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any suggestions as soon as practicably possible.
 - Develop a feedback loop for parents/guardians to ask questions and receive follow-up.
 7. If the school wide plan under section 1114(b)(2) is not satisfactory to the parents/guardians of participating children, the Building Principal or designee shall:
 - Submit any comments when the school makes the plan available to the School Board.
 - Provide a process for parents/guardians to express concerns and complaints.

Shared Responsibilities for High Student Academic Achievement ³

1. The School is responsible for providing a high-quality curriculum and instruction in a supportive and effective learning environment that enables the children served under Title I to meet the State's student academic achievement standards. Each parent/guardian is responsible for supporting their children's learning, by:
 - Monitoring attendance, homework, and television viewing.
 - Volunteering in their child's classroom and participating, as appropriate, in decisions relating to their children's education and extracurricular activities.
2. Communication between teachers and parents/guardians occurs on an ongoing basis through:
 - Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual child's achievements.
 - Frequent reports to parents/guardians on their children's progress.
 - Reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.

Building Capacity for Involvement ⁴

To ensure effective involvement of parents/guardians and to support a partnership among the school's involved, each school shall:

- Provide assistance to parents/guardians of children served in understanding the State's academic content standards and State student academic achievement

³ NCLB §1118(d).

⁴ NCLB §1118(e).

standards, State and local assessments, monitoring a child's progress and work with educators to improve the achievement of their children.

- Provide materials and training (such as literacy, technology, etc.) to help parents/guardians work with their children.
- Educate teachers and other staff in the value and utility of contributions of parents/guardians and how to effectively communicate with and work with parents/guardians as equal partners.
- Implement and coordinate parent/guardian programs that will build ties between them.
- Coordinate and integrate parent involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program and public preschool and other programs and conduct other activities, such as parent/guardian resource centers that encourage and support parents/guardians in more fully participating in the education of their children.
- Ensure that information is sent to the parents/guardians of participating children in a format and language that parents/guardians can understand.
- Involve parents/guardians in the development of training for teachers, Building Principals, and other educators to improve the effectiveness of such training.
- Provide necessary literacy training from funds received under this part if the District has exhausted all other reasonably available sources of funding for such training.
- Pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs to enable parents/guardians to participate in school-related meetings and training sessions.
- Train parents/guardians to enhance the involvement of other parents/guardians.
- Use outreach programs to involve community groups and organizations.
- Arrange school meetings at a variety of times, or conduct in-home conferences between teachers and other educators, in order to maximize parental involvement and participation.
- Adopt and implement model approaches to improving parental involvement.
- Establish a District-wide parent advisory council to provide advice on all matters related to parental involvement in supported programs.
- Develop appropriate roles for community-based organizations and businesses in parent/guardian involvement activities.
- Provide such other reasonable support for parental involvement activities under this section as parents/guardians may request.

In carrying out the parental involvement requirements of this compact, the school, to the extent practicable, will provide full opportunities for the participation of parents/guardians with limited English proficiency or disabilities, including providing information and school reports in a format and, to the extent practicable, in a language such parents/guardians understand. ⁵

⁵ NCLB §1118(f).

Instruction

Extended Instructional Programs

The District may offer the following programs in accordance with State law and the District's educational philosophy:

1. Nursery schools for children between the ages of 2 and 6 years.
2. Before-and after-school programs for students in grades K-6.
3. Child care and training center for pre-school children and for students whose parents work.
4. Model day care services program in cooperation with the State Board of Education.
5. Tutorial program.
6. Adult education program.
7. Outdoor education program.
8. Summer school, whether for credit or not.
9. Independent study, whether for credit or not.
10. Support services and instruction for students who are, or whose parents/guardians are, chemically dependent.
11. Activities to address intergroup conflict.
12. Volunteer service credit program.
13. Vocational academy.
14. Advanced vocational training and/or career education program.

LEGAL REF.: 105 ILCS 5/10-22.18a, 5/10-22.18b, 5/10-22.18c, 5/10-22.20, 5/10-22.20a, 5/10-22.20b, 5/10-22.20c, 5/10-22.29, 5/10-22.33A, 5/10-22.33B, 5/10-23.2, 5/27-22.1, 5/27-22.3, 5/27-23.6, 110/3, and 433/.

CROSS REF.: 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students), 6:320 (High School Credit for Proficiency)

Instruction

Extracurricular and Co-Curricular Activities

The Superintendent must approve an activity in order for it to be considered a District-sponsored extracurricular and co-curricular activity, using the following criteria:

1. The activity will contribute to the leadership abilities, social well-being, self-realization, good citizenship, or general growth of student participants.
2. Fees assessed to students are reasonable and do not exceed the actual cost of operation.
3. The District has sufficient financial resources for the activity.
4. Requests from students.
5. The activity will be supervised by a school-approved sponsor.

Non-school sponsored student groups are governed by School Board policy, 7:330, *Students Use of Buildings – Equal Access*.

Academic Criteria for Participation

For students in kindergarten through 8th grade, selection of members or participants is at the discretion of the teachers, sponsors, or coaches, provided that the selection criteria conform to the District's policies. Students must satisfy all academic standards and must comply with the activity's rules and the student conduct code.

LEGAL REF.: 105 ILCS 5/10-20.30, and 5/24-24.

CROSS REF.: 4:170 (Safety), 7:10 (Equal Educational Opportunities), 7:40 (Nonpublic School Students, Including Parochial and Home-Schooled Students), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:300 (Extracurricular Athletics), 7:330 (Student Use of Buildings - Equal Access), 8:20 (Community Use of School Facilities)

Instruction

Administrative Procedure - Eligibility for Participation in Extracurricular Activities ¹

Actor	Action
Building Principal	Include the minimum academic criteria for participation in the student handbook.
Coach or Sponsor	Explain the minimum academic criteria for participation to student-participants.
Student	In order to be eligible to participate, maintain an overall completion rate/grade of 70% or above in all classes.
Coach or Sponsor	Before allowing a student to join an extracurricular activity, ensure that he or she meets the academic criteria.
Building Principal or designee	At the end of each grade-reporting period, arrange for all coaches and sponsors to have access to their student-participants' grades and grade point averages.
Coach, Sponsor, Teacher	At the end of each week, determine whether any student(s) failed to meet the academic criteria according to procedure outlined in 6:190-AP2.
Coach or Sponsor	<i>For any student who fails to meet the academic criteria:</i> The student will be suspended from the activity for a minimum of one week (eligibility is determined on a weekly bases); meet with the student and explain why he or she is suspended from the activity; send a notice of the suspension to the students parent(s)/guardian(s).
Coach or Sponsor	<i>For any student suspended for not meeting the academic standards:</i> At the end of the suspension, determine whether the student now meets the District's academic criteria. If the student meets these criteria, notify the student and the student's parent(s)/guardian(s) that he or she is now eligible to participate. If the student does not meet these criteria, notify the student's parent(s)/guardian(s) that he or she will remain ineligible to participate until the student meets the academic criteria.

¹ These procedures must adhere to the academic criteria and suspension term established in board policy.

Eligibility Procedures

Academic Ineligibility for Clubs/Band/Choir (and other long term activities)

Policy: Students on academic ineligibility may not participate in extracurricular activities or attend field trips for the clubs/band/choir.

Procedure: the office will handle Ineligibility much as it has been in the past. The first Monday after report cards are out the office will send out a list of all students who are involved in clubs, etc. who have not met the 70's rule for all classes. After their name we will list the subjects that they failed. Sponsors should contact the students and inform them that they are ineligible to participate that week. At the beginning of the following week sponsors should give students who are now passing the failed course an "Academic Eligibility Form" (in the forms drawer). The students are responsible to get the form signed and bring it in to the office.

Academic Ineligibility for Sports (and other short term activities)

Policy: Student athletes on academic ineligibility may not participate in games (this includes "sitting the bench", scorekeeping, etc.) or other team related activities while they are ineligible. At the discretion of their coaches they may continue to come to practices. The third time a student's name appears on the ineligibility list they will be dropped from the team for the remainder of the season.

Procedure: Ineligibility will be handled by the athletic director. Each week of the sports season a roster of all athletes will be placed in teacher's boxes. By end of day Friday teachers should circle the names of any students that they know to be below 70% in their course and place the list in the athletic director's box. Teachers should consider the student's cumulative academic performance when determining eligibility, not simply the performance for the past week. Students failing one or more classes will be ineligible. The athletic director will inform the other coaches of the eligibility status of students on their teams. Ineligible students will be informed of their status on the following Monday and will be suspended from games for one week (e.g. Tuesday through Tuesday). Students who are ineligible three times will be suspended until the end of that sports season.

Behavioral Ineligibility

Policy: Students who commit level 2 or 3 infractions may be suspended from participating in daily extracurricular activities (e.g. sports, band, choir) for 2 weeks. They may also be suspended from participating in weekly extracurricular activities (e.g. clubs), field trips, dances, assemblies and other reward events for 6 weeks.

Procedure: A list will be maintained in the office of students on behavioral ineligibility and the date their suspension ends in parentheses following their names. If a class is scheduled to participate in an event the teacher in charge of that student should contact the office ahead of the event to make arrangements for that student to be supervised away from the event.

Ineligibility Form

To Be Completed by Teacher:

Student: _____ Teacher: _____

Date of Contact with Parents: _____ Class: _____

Phone: _____ Parent's Name: _____

Describe Contact: _____

What goals must the student meet in order to continue eligibility?

- _____
- _____
- _____

Date Given to AD: _____

After filling in the above information place this form in the Athletic Director's box.

To Be Completed by Athletic Director

Form Received: _____
Signature

To Be Completed by Teacher If Student is to be Declared Ineligible (after a minimum of 5 school days have elapsed).

The student's performance continues to be deficient in the following areas:

- _____
- _____
- _____

Teachers Signature: _____ Date: _____

After filling in the above information place this form in the Athletic Director's box.

NOTE: The student will be ineligible until the coach receives a signed eligibility form.

Eligibility Reinstatement Form

_____ (Student's Name) is seeking reinstatement of their eligibility status. To be eligible to participate in sports, clubs, or band students must maintain a 70% or greater average in each subject. This form must be signed by ALL of their teachers and returned to the school office. After the completed form has been returned to the office a copy will be given to each coach or sponsor listed below. While this will remove the student from the ineligibility list, future participation in activities must also be approved by the coach or sponsor.

Please list all clubs, sports, and other activities that you are currently participating in:

Please have ALL teachers sign on the appropriate line below:

Teacher's Signature	Date	Current Grade
LA _____	_____	_____
Math _____	_____	_____
Science _____	_____	_____
Social Studies _____	_____	_____
PE _____	_____	_____
Special 1 _____	_____	_____
Special 2 _____	_____	_____
Other _____	_____	_____

Return to school office after all teachers have signed.

Instruction

Instructional Arrangements ¹

Grouping for Instruction

Grouping within a school or within a classroom is the responsibility of each Building Principal, with input provided by the respective staff. The aim of grouping is to place each student in an appropriate and comfortable learning situation.

Class Size ²

The Superintendent shall work closely with Building Principals in establishing a reasonable teacher-student ratio in each building.

Team Teaching

Teachers may team teach upon approval of the Superintendent or designee.

Individualized Instruction

Provision for individual differences shall be given high priority in planning the instructional program, in choosing teaching methods and materials, and in evaluating results.

¹ This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

² Except with regard to special education, and unless otherwise provided in a bargaining agreement, the board has the authority to determine the appropriate class size. Class size is a mandatory subject of bargaining. Board of Education of Decatur Dist. No. 61 v. IELRB, 536 N.E.2d 743 (4th Dist. 1989).

Instruction

Instructional Materials

All District classrooms and learning centers should be equipped with an evenly-proportioned, wide assortment of instructional materials, including textbooks, workbooks, audio-visual materials, and electronic materials. These materials should provide quality learning experiences for students and:

1. Enrich and support the curriculum;
2. Stimulate growth in knowledge, literary appreciation, aesthetic values, and ethical standards;
3. Provide background information to enable students to make intelligent judgments and promote critical reading and thinking;
4. Depict in an accurate and unbiased way the cultural diversity and pluralistic nature of American society.
5. Contribute to a sense of the worth of all people regardless of sex, race, religion, nationality, ethnic origin, sexual orientation, disability, or any other differences that may exist.

The Superintendent or designee shall annually provide a list or description of textbooks and instructional manuals used in the District to the School Board. Anyone may inspect any textbook or instructional material.

Teachers are encouraged to limit the use of supplemental material only when it will enhance, or otherwise illustrate, the subjects being taught and to ensure it is age-appropriate. No R-rated movie shall be shown to students unless prior approval is received from the Superintendent or designee, and no movie rated NC-17 (no one 17 and under admitted) shall be shown under any circumstances. These restrictions apply to television programs and other media with equivalent ratings.

The presentation of controversial material using multimedia sources (i.e. audio/visual, fine arts, performance arts, Internet, MP3 files, etc.) must include the approval of the building administrator and requires a parent permission procedure that allows for a parent to elect non-participation in the instructional event. This would include "PG-13" and "R" rated movies (no NC-17 movie shall be shown under any circumstances), Internet websites that are customarily blocked due to language, violence and sexual content, and audio and computer disks that carry a "teen" or "mature" rating.

Instructional Materials Selection and Adoption

The Superintendent shall approve the selection of all textbooks and instructional materials according to the standards described in this policy. The School Code governs the adoption and purchase of textbooks and instructional materials.

LEGAL REF.: 105 ILCS 5/10-20.8, 5/10-20.9, and 5/28-19.1.

CROSS REF.: 6:30 (Organization of Instruction), 6:40 (Curriculum Development), 6:80 (Teaching About Controversial Issues), 6:170 (Title I Programs), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights), 8:110 (Public Suggestions and Concerns)

Instruction

Instructional Materials Selection and Adoption ¹

Textbooks and instructional materials, both print and non-print, are selected based upon their quality and educational value, and must contribute to a general sense of the worth of all individuals regardless of sex, race, religion, nationality, ethnic origin, disability, or any other differences which may exist.

The Superintendent shall approve the selection of all textbooks and instructional materials. ²

LEGAL REF.: 105 ILCS 5/10-20.8 and 5/28-1 et seq.

CROSS REF.: 6:210 (Instructional Materials), 7:10 (Equal Educational Opportunities),
8:110 (Public Complaints)

¹ State or federal law controls this policy's content.

² 105 ILCS 5/28-1 et seq.

Instruction

Library Media Program

The Superintendent or designee shall manage the District's library media program to comply with, (1) State law and Illinois State Board of Education rule, and (2) the following standards:

1. The program includes an organized collection of resources available to students and staff to supplement classroom instruction, foster reading for pleasure, enhance information literacy, and support research, as appropriate to students of all abilities in the grade levels served.
2. Financial resources for the program's resources and supplies are allocated to meet students' needs.
3. Students in all grades served have equitable access to library media resources.
4. The advice of an individual who is qualified according to ISBE rule is sought regarding the overall direction of the program, including the selection and organization of materials, provision of instruction in information and technology literacy, and structuring the work of library paraprofessionals.
5. Staff members are invited to recommend additions to the collection.
6. Students may freely select resource center materials as well as receive guided selection of materials appropriate to specific, planned learning experiences.

LEGAL REF.: 23 Ill.Admin.Code §1.420(o).

CROSS REF.: 6:60 (Curriculum Content), 6:170 (Title I Programs), 6:210 (Instructional Materials)

Instruction

Access to Electronic Networks

Electronic networks, including the Internet, are a part of the District's instructional program in order to promote educational excellence by facilitating resource sharing, innovation, and communication. The Superintendent or designee shall develop an implementation plan for this policy and appoint a system administrator.

The School District is not responsible for any information that may be lost, damaged, or unavailable when using the network, or for any information that is retrieved or transmitted via the Internet. Furthermore, the District will not be responsible for any unauthorized charges or fees resulting from access to the Internet.

Curriculum

The use of the District's electronic networks shall (1) be consistent with the curriculum adopted by the District as well as the varied instructional needs, learning styles, abilities, and developmental levels of the students, and (2) comply with the selection criteria for instructional materials and library-media center materials. Staff members may, consistent with the Superintendent's implementation plan, use the Internet throughout the curriculum.

The District's electronic network is part of the curriculum and is not a public forum for general use.

Acceptable Use

All use of the District's electronic network must be (1) in support of education and/or research, and be in furtherance of the School Board's stated goal, or (2) for a legitimate school business purpose. Use is a privilege, not a right. Students and staff members have no expectation of privacy in any material that is stored, transmitted, or received via the District's electronic network or District computers. General rules for behavior and communications apply when using electronic networks. The District's *Authorization for Electronic Network Access* contains the appropriate uses, ethics, and protocol. Electronic communications and downloaded material, including files deleted from a user's account but not erased, may be monitored or read by school officials.

Internet Safety

Each District computer with Internet access shall have a filtering device that blocks entry to visual depictions that are (1) obscene, (2) pornographic, or (3) harmful or inappropriate for students, as defined by the Children's Internet Protection Act and as determined by the Superintendent or designee. The Superintendent or designee shall enforce the use of such filtering devices. An administrator, supervisor, or other authorized person may disable the filtering device for bona fide research or other lawful purpose, provided the person receives prior permission from the Superintendent or system administrator. The Superintendent or designee shall include measures in this policy's implementation plan to address the following:

1. Ensure staff supervision of student access to online electronic network.
2. Restrict student access to inappropriate matter as well as restricting access to harmful materials;
3. Ensure student and staff privacy, safety, and security when using electronic communications;

4. Restrict unauthorized access, including “hacking” and other unlawful activities; and
5. Restrict unauthorized disclosure, use, and dissemination of personal identification information, such as, names and addresses.

Authorization for Electronic Network Access

Each staff member must sign the District's *Authorization for Electronic Network Access* as a condition for using the District's electronic network. Each student and his or her parent(s)/guardian(s) must sign the *Authorization* before being granted unsupervised use.

All users of the District's computers and means of Internet access shall maintain the confidentiality of student records. Reasonable measures to protect against unreasonable access shall be taken before confidential student information is loaded onto the network.

The failure of any student or staff member to follow the terms of the *Authorization for Electronic Network Access*, or this policy, will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

- LEGAL REF.: No Child Left Behind Act, 20 U.S.C. §6777.
Children's Internet Protection Act, 47 U.S.C. §254(h) and (l)
720 ILCS 135/0.01.
- CROSS REF.: 5:100 (Staff Development Program), 5:170 (Copyright for Publication or Sale of Instructional Materials and Computer Programs Developed by Employees), 6:40 (Curriculum Development), 6:210 (Instructional Materials), 6:230 (Library Resource Center), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline), 7:310 (Publications)
- ADMIN PROC.: 6:235-AP (Administrative Procedure - Acceptable Use of Electronic Networks), 6:235-E2 (Exhibit - Authorization for Electronic Network Access)

Instruction

Administrative Procedure - Acceptable Use of Electronic Networks

All use of electronic networks shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. These procedures do not attempt to state all required or proscribed behavior by users. However, some specific examples are provided. **The failure of any user to follow these procedures will result in the loss of privileges, disciplinary action, and/or appropriate legal action.**

Terms and Conditions

1. Acceptable Use - Access to the District's electronic networks must be (a) for the purpose of education or research, and be consistent with the educational objectives of the District, or (b) for legitimate business use.
2. Privileges - The use of the District's electronic networks is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. The system administrator will make all decisions regarding whether or not a user has violated these procedures and may deny, revoke, or suspend access at any time; his or her decision is final. ¹
3. Unacceptable Use - The user is responsible for his or her actions and activities involving the network. Some examples of unacceptable uses are:
 - a. Using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any U.S. or State law;
 - b. Unauthorized downloading of software, regardless of whether it is copyrighted or de-virused;
 - c. Downloading copyrighted material for other than personal use;
 - d. Using the network for private financial or commercial gain;
 - e. Wastefully using resources, such as file space;
 - f. Hacking or gaining unauthorized access to files, resources, or entities;
 - g. Invading the privacy of individuals, which includes the unauthorized disclosure, dissemination, and use of information about anyone that is of a personal nature;
 - h. Using another user's account or password;
 - i. Posting material authorized or created by another without his/her consent;
 - j. Posting anonymous messages;

¹ Alternatively, a committee could review the system administrator's decision. When there is no "system administrator" use:

The Building Principal will make all decisions regarding whether or not a user has violated this Authorization and may deny, revoke, or suspend access at any time.

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- k. Using the network for commercial or private advertising;
 - l. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, harassing, or illegal material; and
 - m. Using the network while access privileges are suspended or revoked.
4. Network Etiquette - The user is expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:
 - a. Be polite. Do not become abusive in messages to others.
 - b. Use appropriate language. Do not swear, or use vulgarities or any other inappropriate language.
 - c. Do not reveal personal information, including the addresses or telephone numbers, of students or colleagues.
 - d. Recognize that electronic mail (E-mail) is not private. People who operate the system have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.
 - e. Do not use the network in any way that would disrupt its use by other users.
 - f. Consider all communications and information accessible via the network to be private property.
 5. No Warranties - The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages the user suffers. This includes loss of data resulting from delays, non-deliveries, missed-deliveries, or service interruptions caused by its negligence or the user's errors or omissions. Use of any information obtained via the Internet is at the user's own risk. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services.
 6. Indemnification - The user agrees to indemnify the School District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any violation of these procedures.
 7. Security - Network security is a high priority. If the user can identify a security problem on the Internet, the user must notify the system administrator or Building Principal. Do not demonstrate the problem to other users. Keep your account and password confidential. Do not use another individual's account without written permission from that individual. Attempts to log-on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to the network.
 8. Vandalism - Vandalism will result in cancellation of privileges and other disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, or any other network. This includes, but is not limited to, the uploading or creation of computer viruses.

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9. Telephone Charges - The District assumes no responsibility for any unauthorized charges or fees, including telephone charges, long-distance charges, per-minute surcharges, and/or equipment or line costs.
 10. Copyright Web Publishing Rules - Copyright law and District policy prohibit the re-publishing of text or graphics found on the Web or on District Web sites or file servers without explicit written permission.
 - a. For each re-publication (on a Web site or file server) of a graphic or a text file that was produced externally, there must be a notice at the bottom of the page crediting the original producer and noting how and when permission was granted. If possible, the notice should also include the Web address of the original source.
 - b. Students and staff engaged in producing Web pages must provide library media specialists with e-mail or hard copy permissions before the Web pages are published. Printed evidence of the status of "public domain" documents must be provided.
 - c. The absence of a copyright notice may not be interpreted as permission to copy the materials. Only the copyright owner may provide the permission. The manager of the Web site displaying the material may not be considered a source of permission.
 - d. The "fair use" rules governing student reports in classrooms are less stringent and permit limited use of graphics and text.
 - e. Student work may only be published if there is written permission from both the parent/guardian and student.
 11. Use of Electronic Mail
 - a. The District's electronic mail system, and its constituent software, hardware, and data files, are owned and controlled by the School District. The School District provides e-mail to aid students and staff members in fulfilling their duties and responsibilities, and as an education tool.
 - b. The District reserves the right to access and disclose the contents of any account on its system, without prior notice or permission from the account's user. Unauthorized access by any student or staff member to an electronic mail account is strictly prohibited.
 - c. Each person should use the same degree of care in drafting an electronic mail message as would be put into a written memorandum or document. Nothing should be transmitted in an e-mail message that would be inappropriate in a letter or memorandum.
 - d. Electronic messages transmitted via the School District's Internet gateway carry with them an identification of the user's Internet "domain." This domain name is a registered domain name and identifies the author as being with the School District. Great care should be taken, therefore, in the composition of such messages and how such messages might reflect on the name and reputation of this School District.

Users will be held personally responsible for the content of any and all electronic mail messages transmitted to external recipients.

- e. Any message received from an unknown sender via the Internet should either be immediately deleted or forwarded to the system administrator. Downloading any file attached to any Internet-based message is prohibited unless the user is certain of that message's authenticity and the nature of the file so transmitted.
- f. Use of the School District's electronic mail system constitutes consent to these regulations.

Internet Safety

1. Internet access is limited to only those "acceptable uses" as detailed in these procedures. Internet safety is almost assured if users will not engage in "unacceptable uses," as detailed in these procedures, and otherwise follow these procedures.
2. Staff members shall supervise students while students are using District Internet access to ensure that the students abide by the Terms and Conditions for Internet access contained in these procedures.
3. Each District computer with Internet access has a filtering device that blocks entry to visual depictions that are (1) obscene, (2) pornographic, or (3) harmful or inappropriate for students, as defined by the Children's Internet Protection Act and as determined by the Superintendent or designee.
4. The system administrator and Building Principals shall monitor student Internet access.

LEGAL REF.: Children's Internet Protection Act, P.L. 106-554.
20 U.S.C § 6801 et seq.
47 U.S.C. § 254(h) and (l).
720 ILCS 135/0.01.

Instruction

Administrative Procedure - Web Publishing Guidelines

General Requirements

All material published on the District Web site must have educational value and/or support the District guidelines, goals, and policies. Material appropriate for Web publishing includes information about the District and its Board Members, agendas, policies, appropriate administrative procedures, Department activities or services, schools, teachers or classes, student projects, and student extracurricular organizations. ¹ Personal information, not related to education, will not be allowed on the District Web site.

The District Webmaster shall implement a centralized process for review and uploading of material onto the District's Web site to ensure that, before material is published, it complies with District policy and procedures. ² The District Webmaster shall supervise the efforts of all staff members responsible for Web publishing at each level of District Web publishing and, when appropriate, hold in-serve opportunities for those staff members. The staff members responsible for Web publishing are identified in these procedures in the section "Different Levels of Web Publication." The District Webmaster shall provide regular feedback and suggestions to the Superintendent regarding these Guidelines.

All content published on the District Web site must:

1. Comply with all State and federal law concerning copyright, intellectual property rights, and legal uses of network computers.
2. Comply with Board policies, administrative procedures, these Guidelines, and other District guidelines provided for specific levels of publishing. This specifically includes the Board's *Access to Electronic Networks* policy and the District's procedures on *Acceptable Use of Electronic Networks*. ³
3. Due to limited storage space and varying network speeds, file sizes must be kept under 50 kilobytes unless the District Webmaster approves otherwise.
4. Comply with the publishing expectations listed below.

Material that fails to meet these Guidelines or is in violation of Board policy and/or procedures shall not be published on the District Web site. The District reserves the right to remove any material in violation of its policy or procedures. Failure to follow these Guidelines or Board policy and/or procedures may result in loss of privileges, disciplinary action, and/or appropriate legal action.

Publishing Expectations

The following are minimum expectations for all District Web pages:

¹ IASB Policy Services provides Web publishing services for school board policy manuals. For information about these services and to see sample policy manuals online, visit www.IASB.com/policy.

² A centralized process for review and uploading of material on district Web pages will assist compliance with law and district policy and procedures in a consistent fashion across the district. If appropriate, replace "District Webmaster" with correct title (e.g., District Network System Administrator).

³ See 6:235, *Access to Electronic Networks* and 6:235-AP1, *Administrative Procedure - Acceptable Use of Electronic Networks*.

1. The style and presentation of Web published material should be of high quality and designed for clarity and readability. Material shall not be published in violation of the District's procedures on *Acceptable Use of Electronic Networks*, including material that is defamatory, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or harassing or material that invades the privacy of any individual. Anonymous messages are prohibited.
2. Correct grammar and spelling are expected.
3. All information must be verifiable.
4. Publications must include a statement of copyright when appropriate and indicate that permission has been secured when including copyrighted materials.
5. Publications must identify affiliation with the District, school and/or department.
6. Widespread use of external links to non-District Web sites is discouraged, but if used, the external sites must contain appropriate educational materials and information as exclusively determined by the District. ⁴ Every effort should be made to insure that all links are operational. Every link to an external Web site must open a new browser window. ⁵
7. Relevant dates are required on all publications, including the date on which the publication was placed on the District Web site. Each site should contain the date the page was last updated.
8. All publications must include the District e-mail address of the staff member responsible for the page. This provides a contact person for questions or comments. If a student is the publisher, the sponsoring staff member's e-mail must be included as the responsible person. Only District staff members may act as student sponsors.
9. Use of the District's Web site for personal or financial gain is prohibited. No commercial or private accounts should be listed on any District Web pages.
10. All documents should be previewed on different Web browsers, especially Netscape Navigator and Internet Explorer, before being posted on the District Web site.

For more information about these expectations or other issues related to Web publishing, please contact the System Administrator.

Protecting Student and Staff Privacy

Personal information concerning students or staff members, including home addresses and telephone numbers, shall not be published on District Web pages.

⁴ External links have two problems: (1) schools cannot control the content of those sites but may be held responsible for directing visitors, including students, to them, and (2) widespread use may inadvertently create a public forum or raise First Amendment concerns if and when objectionable links are rejected for publication. However, with vigilant supervision and appropriate controls, these risks can be reduced. If the district wants to use external links, replace this sentence with the following:

External links to non-District Web sites are limited to sites containing appropriate educational materials and information as exclusively determined by the District.

⁵ Most likely, the external Web site must be programmed to open a new browser window. If the district believes it is too limiting to require every link to an external Web site to open a new browser window, remove it from these procedures as well as 6:235-E3, Exhibit - *Online Privacy Statement*.

A student's last name, last name initial, and grade level shall not be published on District Web pages. In addition, student records shall not be disclosed. ⁶ In special circumstances (e.g., where accolades are warranted), the sponsoring staff member should contact the Building Principal who may seek permission from the student's parents/guardians. Web pages shall not display student pictures with a student identified by his or her name unless written parental permission was first granted (e.g., by executing the form *Using a Photograph or Videotape of a Student*). ⁷ Student e-mail addresses, whether a personal or District account, shall not be listed on any District Web page.

Submitting Material to Be Published

Everyone submitting material for publication on the District's Web site shall have signed an *Authorization for Electronic Network Access*. Before material is published on the District Web site, the author must authorize the District in writing to publish the material, unless the District owns the copyright. All material submitted by a teacher or other staff member for publication on the District's Web site is deemed "work for hire," and the copyright in those works vests in the District. ⁸ All material submitted for the District Web site is subject to treatment as a District-sponsored publication.

Different Levels of Web Publication

The following guidelines provide specific information regarding Web publishing at different levels within the District. At each level, a staff member is identified as being responsible for Web publishing at that level. This individual's Web publishing efforts are supervised by the District Webmaster.

District Level

The District Webmaster conducts the District-level Web publishing efforts and supervises other levels of Web publishing. District-level publishing includes the District's homepage as well as any publishing activities representing the District as a whole (e.g., information about Board meetings, Board policy, and schedules). The District homepage shall have a link to an Online Privacy Statement. ⁹

Department Level

District departments (e.g., Transportation, Personnel, or Curriculum) may publish their own Web pages as part of the District's Web site. The department supervisor or director is ultimately responsible for his or her respective department's Web pages, but may appoint a staff member as the department's Webmaster to fulfill the maintenance, reviewing, and uploading tasks. The department supervisor or director shall keep the District Webmaster informed of who is the department Webmaster.

⁶ The requirements of the Family Educational Rights and Privacy Act as well as the Illinois School Student Records Act severely limit Web site publication of student information. Even obtaining parental consent is problematic because, under 105 ILCS 10/6(a)(8), the consent must identify the recipients of the student records – something tough to do with Web publishing.

⁷ See 7:340-E2, Exhibit - *Using a Photograph or Videotape of a Student*.

⁸ See 5:170-AP, Administrative Procedure - *Copyright for Publication or Sale of Instructional Materials Developed by Employees*.

⁹ See 6:235-E3, Exhibit - *Online Privacy Statement*.

The Web-published material should coincide with that department's printed material. The District Webmaster should be consulted before publishing potentially sensitive material, e.g., school comparisons or student data.

The department front pages should maintain the look and feel of the District homepage – the connection to the District should be obvious. Links to the main Web site's "home" must be included at the bottom of main pages, and the District's logo must be included at the top of main front pages of each department.

School Level

The Building Principal is ultimately responsible for his or her respective school's Web pages, but may appoint a staff member as the School Webmaster to fulfill the maintenance, reviewing, and uploading tasks. The Building Principal shall keep the District Webmaster informed of who is the School Webmaster. All official material originating from the school will be consistent with the District style and content guidelines. The Building Principal or School Webmaster may develop guidelines for the various sections of and contributors to the school's Web pages.

Staff Level

Any teacher or other staff member wanting to create Web pages for use in class activities or to provide a resource for other teachers or staff members shall notify the School Webmaster of his or her desired publishing activities.

Student Level 10

A student wanting to create Web pages on the District Web site as part of a class or school-sponsored activity should request a teacher or staff member to sponsor the student's publishing efforts. The sponsoring teacher or staff member shall notify the School Webmaster of the desired publishing activities. The student's Web page must include an introduction written by the sponsor that describes the intent of the student's Web page and contains the sponsor's District e-mail address. Student

10 Student free speech rights on the Internet are not absolute. However, like other off-campus student speech, it can be very difficult to determine when students may be punished for off-campus Web sites. Depending on the circumstances, schools are able to discipline students for conduct that has a material and substantial interference with the school's work.

The Seventh Circuit Court of Appeals, second only to the US Supreme Court in federal court jurisdiction for Illinois, upheld a student's expulsion for his article in an underground newspaper, "So You Want to be a Hacker." The article included instructions on hacking into the school's computers. The article created a clear interference with the school's operations. Boucher v. School Board of the School District of Greenfield, 134 F.3d 821 (7th Cir, 1998).

Using the same analysis, the Pennsylvania Supreme Court upheld disciplinary action taken against a student for the content of his off-campus Web site. The site contained derogatory and offensive material directed toward a teacher and the principal. One Web page showed a drawing of the teacher with her head cut-off and blood dripping from her neck. The Court found that the Web site significantly and adversely impacted the delivery of instruction. The school's imposition of disciplinary action did not violate the student's First Amendment free speech rights. J.S. ex rel. H.S. v. Bethlehem Area School Dist., 807 A.2d 847 (Pa., 2002).

Faced with an offensive off-campus student Web site, school officials along with legal counsel, must evaluate the extent to which the Web site interrupts the educational process. This evaluation requires a close and thorough examination of the facts.

Web pages will be removed at the end of the school year unless special arrangements are made.

Personal Web pages are not allowed on the School District's Web server. Likewise, student Web pages may not contain commercial or advertising links, including links to games and advertisements for games.

CROSS REF.: 5:170-AP (Administrative Procedure - Copyright for Publication or Sale of Instructional Materials Developed by Employees), 6:235 (Access to Electronic Networks), 6:235-AP (Administrative Procedure - Acceptable Use of Electronic Networks), 6:235-E2 (Exhibit - Authorization for Electronic Network Access), 6:235-E3 (Exhibit - Online Privacy Statement)

Instruction

Exhibit – Excerpt from Parent/Staff Handbooks Regarding Use of the District's Electronic Networks

TECHNOLOGY/NETWORK USE POLICY

The Winthrop Harbor School District has established a computer network and is pleased to offer Internet access for student use. This will allow students to have access to a variety of information and programs, including the Internet. In order for students to use the Internet, students and their parents or guardians must first read and understand the following acceptable use policies.

Acceptable Uses

1. The computer network has been designed to allow network and Internet access for educational purposes. This includes classroom activities, research activities, educational software, peer review of assigned work, etc.
2. Students have access to the Internet via any computer connected to the school network. Student access is limited to those times when they can be properly supervised by staff members and receives the appropriate permission of staff
3. Network users must respect resource limits. The network administrator will set an allotted amount of storage space for student use. Students may need to delete their files if they are using an excessive amount of space.
4. Student use of the Internet is contingent upon parent/guardian permission in the form of a signed copy of this Acceptable Use Policy. Parents, guardians or District staff may revoke approval at any time.
5. Material created and/or stored on the system should not be considered to be private. District staff or their designees may review the system from time to time to ensure that the system is being used properly. For this reason, students should expect that emails, material placed on personal Web pages, and other work that is created on the network may be viewed by a third party.
6. Students must keep their passwords private. Accounts and/or passwords may not be shared.
7. Students are expected to adhere to the safety guidelines listed below.

Unacceptable Uses

1. The network may not be used to download, copy, or store any software, shareware, freeware, or other files including music or video without prior permission from district administration or their designees.
2. The network may not be used for commercial purposes. Users may not buy or sell products or services through the system without prior permission from the network administrator.
3. Use of the network for advertising or political lobbying is prohibited.
4. The network may not be used to transmit any material, or for any activity, that violates federal or local laws. This includes, but is not limited to, illegal activities such as threatening the safety of another person or violating copyright laws.
5. Students may not use vulgar, derogatory, or obscene language or images. Users may not engage in personal attacks, harass another person, or post private information about another person.
6. Students may not log on to someone else's account or attempt to access another user's files. "Hacking" or otherwise trying to gain access to another person's or organization's computer system is prohibited.

7. Students may not access Web sites, newsgroups, or chat areas that contain material that is obscene or that promotes illegal acts. If a student accidentally accesses this type of information, he or she should immediately notify a teacher, librarian, and/or network administrator.

Safety Guidelines for Students

1. Never give out your last name, address, or phone number.
2. Never agree to meet in person with anyone you have met online unless you first have the approval of a parent or guardian.
3. Notify an adult immediately if you receive a message that may be inappropriate or if you encounter any material that violates this Acceptable Use Policy.
4. Student pictures may be posted on the district website but for security and privacy reasons students will only be identified by their first name and first initial of their last name (i.e. a picture of John Doe would be listed as John D. on the website). Parents who do not wish their student's pictures displayed should contact the school administrator.

Discipline

If a student fails to adhere to this policy, district administration or their designee may immediately suspend or revoke the network users privilege and possible disciplinary action may follow. Students who misuse computers (e.g. pulling wires, erasing programs or files without permission, etc.) may also lose computer privileges and disciplinary action may follow.

SOCIAL MEDIA AND SOCIAL NETWORKING POLICY

Purpose

This policy establishes procedures for the establishment and use by the Winthrop Harbor School District (“***District***”) and its employees of internet resources commonly referred to as “social media sites” as a means of obtaining or conveying District information to and from its citizens in furtherance of various goals. The District has an overriding interest in obtaining reliable information from and in providing accurate and appropriate information on social media sites.

The purpose for use of social media sites is to obtain and disseminate information useful to and about the District. The District encourages the use of social media to further the goals of the District and the missions of its departments, where appropriate, and subject to the terms and conditions set forth in this social media policy.

Definitions

“Blogs or Blogging” includes any electronic medium, whether maintained by the employee or by some other person, in which the viewers express their views and opinions.

“Comment” means a response to a municipality posting or social media content or posting submitted by a commenter.

“Commenter” is a Municipal employee or official or a member of the public who submits a comment for posting in response to the content of a particular District posting or social media content.

“Music and Movie Collaboration Sites” as referred to in this policy shall include websites used to share, download and upload music files, movies, photographs, and other electronic files.

“Social Networking Websites” as referred to in this policy include websites and/or applications that allow users to share information, including but not limited to such websites as Facebook, Twitter, LinkedIn, MySpace, You Tube, Flickr, etc.

Employee Usage Policy

Employer Monitoring

1. Employees are cautioned that they should have no expectation of privacy while using the Internet. Employee postings can be reviewed by anyone, including the District. The District reserves the right to monitor comments or discussions about the District, its officers, employees, or agents posted on the Internet by anyone, including employees and non-employees.

2. The District reserves the right to use content management tools to monitor, review or block content on social media sites or blogs that violate the District's social media rules and guidelines.

Identification As An Employee or Elected Official Of The District

1. Employees and Board Members who use or are a member of social networking sites, music and movie collaboration sites, and blogs are hereby on notice, by receipt of this policy, that by identifying themselves on these websites as a District employee or Board Member, he or she is also to some extent holding himself or herself out as a representative of the District. As such, all employees who list the District as his or her employer on these social networking sites, blogs, or collaboration websites must take responsibility for representing the District in a professional manner. Therefore, the District encourages employees not to list the District as his or her employer.
2. If an employee or Board Member does identify himself or herself as an official of the District, any bloggings or postings that are not done in order to further the business of the District or pursuant to a District marketing plan or strategy pursuant to the instructions of the employee's supervisor must contain a disclaimer that these postings or blogs are solely the opinion of the individual employee or Board Member and that these positions or blogs do not reflect the views or philosophy of the District, its officials, employees, or citizens.

Content Of All Postings And Blogs

1. All employees' internet postings which identify themselves as District employees must not contain confidential or proprietary content or information regarding their work as a District employee and the employee must clearly state that his or her views are not representative of those of the District, its elected officials, employees, or agents.
2. All personal blogs or postings on the blogs of others should have clear disclaimer, such as the following:

*The views expressed by the author
in the blog is the author's alone and do
not represent the views of the District.*

3. For example, employees writing a blog or posting on a blog should be written in first person and should clearly state that the author is writing of their own volition and not on behalf of the District.
4. Information published on an employee's blog should comply with the District's confidentiality and disclosure policies. This also applies to comments posted on other blogs, forums, and social networking sites.

Responsible And Respectful Postings

1. Employees are encouraged to be respectful to the District, officers, employees, agents, and citizens in their use of social media.
2. An employee's online presence may reflect the District and therefore, employees must be aware that his or her actions captured via images, posts, or comments can reflect the image of the District and its other employees. All postings, photos, images or other communications by an employee regarding service to, or employment with the District, which are false or misleading about the District, its officials or employees, may subject the employee to disciplinary action consistent with this policy.
3. The District seal or other logo, trademarks, or symbols used to identify the District may not be used without written consent from the Superintendent or his/her designee.

Rules With Respect To Other District Personnel

1. All information posted on social networking sites and blog postings must not divulge confidential information or the internal operations or procedures of the District.
2. Employees must not post any confidential or proprietary information regarding his or her job assignments, routes, or other work related items without the express consent of the Superintendent or his/her designee.
3. No confidential, personal, or identifying information, including photos and addresses, shall be posted with regard to any services rendered by the District or licenses or citations issued.
4. No confidential, personal, or identifying information shall be posted with regard to any District patron.
5. District personnel are discouraged from posting any work related complaints or specific grievances regarding the elected officials, management or supervisory staff of the District, but shall instead utilize the procedure in place such as the complaint procedure or the union grievance procedure.

Copyright And Other Legal Issues

Employees must at all times comply with the laws regarding plagiarism or copyright violations, especially when the employee's site represents the employee as a District employee.

Acknowledgment

District employees must sign a written acknowledgment that they have received, read, understand, and agree to comply with the District's social media policy and any other related policy.

Reporting Violations

The District requests and strongly urges employees to report any violations or possible or perceived violations to the Superintendent. Violations may include discussions of the District and its officers, employees, or agents, any discussions or postings where the employee has identified himself or herself as a District employee and is engaging in illegal or immoral conduct, any discussion of proprietary information, and any unlawful activity related to blogging or social networking.

Disciplinary Action

All employees who violate this policy may be subject to disciplinary action, up to and including termination. The District further reserves the right to take legal action where necessary against employees who engage in prohibited or unlawful conduct. The disciplinary action will be in accordance with the respective union collective bargaining agreements to which the District is a party, if applicable.

General Policy

Approval and Administration

1. The establishment and use by any District department of District social media sites are subject to approval by the District Superintendent or his/her designees.
2. All District social media sites shall be administered by the District Superintendent. The Superintendent and his or her designees shall be trained regarding the terms of the social media policy, including their responsibilities to review content submitted for posting to ensure compliance with the policy. The Superintendent will be responsible for monitoring content on District social media sites to ensure adherence to both the District's social media policy and the interest and goals of the District.
3. District social media sites should make clear that they are maintained by the District and that they follow the District's social media policy.
4. Wherever possible, District social media sites should link back to the official District website for forms, documents, online services and other information necessary to conduct business with the District.
5. All social networking sites should clearly indicate that any content submitted for posting on the site is subject to public disclosure.
6. The District reserves the right to restrict or remove any content that is deemed in violation of this social media policy or any applicable law.

7. Any content removed based on these guidelines must be retained by the District for a reasonable period of time, including the time, date and identity of the poster, when available.

Comment Policy

1. Comments containing any of the following inappropriate forms of content shall not be permitted on District social media sites and are subject to removal and/or restriction by the Superintendent or his/her designees:
 - a. Comments not related to the original topic, including random or unintelligible comments;
 - b. Profane, obscene, violent, sexual, or pornographic content and/or language;
 - c. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin;
 - d. Defamatory or personal attacks;
 - e. Threats to any person or organization;
 - f. Solicitation of commerce, including but not limited to advertising of any business or product for sale;
 - g. Conduct in violation of any federal, state, or local law;
 - h. Encouragement of illegal activity;
 - i. Information that may tend to compromise the safety or security of the public or public systems; or
 - j. Content that violates a legal ownership interest, such as a copyright or trademark.
2. A comment posted by a member of the public on any District social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the District, nor do the comments necessarily reflect the opinions or policies of the District.
3. The District reserves the right to deny access to District social media sites for any individual who violates the District's social media policy, at any time and without prior notice.
4. Departments shall monitor their social media sites for comments requesting responses from the District and for comments in violation of this policy.
5. When a District employee responds to a comment in his/her capacity as a District employee, the employee's name and title should be made available, and the employee shall not share personal information about himself or herself, or other District employees.

6. All comments posted to any District Facebook site are bound by Facebook's Statement of Rights and Responsibilities, located at <http://www.facebook.com/terms.php>, and the District reserves the right to report any violation of Facebook's Statement of Rights and Responsibilities to Facebook with the intent of Facebook taking appropriate and reasonable responsive action.

Compliance with Laws

1. All District social media sites must adhere to applicable federal, state and local laws, regulations and policies.
2. District social media sites are subject to the Illinois Freedom of Information Act. Any content maintained in a social media format that is related to District business, including a list of subscribers, posted communication, and communication submitted for posting, may be a public record subject to public disclosure. Content related to District business shall be maintained in an accessible format so that it can be produced in response to a request. Wherever possible, social media sites shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure.
3. The Illinois Local Records Act applies to social media formats and social media content. The Department maintaining a site shall preserve records required to be maintained pursuant to a relevant records retention schedule for the required retention period on a District server in a format that preserves the integrity of the original record and is easily accessible.
4. E-discovery laws may apply to social media content and, therefore, content must be able to be managed, stored, and retrieved to comply with these laws.
5. The Open Meetings Act applies to social media formats and social media content. Contemporaneous communication between more than two Board Members via social media may constitute a "meeting" under the Open Meetings Act and any such meeting held in violation of that Act may subject the participants to the penalties prescribed therein.

Instruction

Field Trips

Field trips are permissible when the experiences are an integral part of the school curriculum and/or contribute to the District's educational goals.

All field trips must have the Superintendent or designee's prior approval, except that field trips beyond a 200-mile radius of the school or extending overnight must have the prior approval of the School Board. The following factors are analyzed when determining whether to approve a field trip: educational value, student safety, parent concerns, heightened security alerts, and liability concerns. On all field trips, a bus fee set by the Superintendent or designee may be charged to help defray the transportation costs.

Parents/guardians of students: (1) shall be given the opportunity to consent to their child's participation in any field trip, and (2) are responsible for all entrance fees, food, lodging, or other costs. All non-participating students shall be provided an alternative experience. Any field trip may be cancelled without notice due to an unforeseen event or condition. Monies deposited may be forfeited.

Privately arranged trips, including those led by District staff members, shall not be represented as or construed to be sponsored by the District or school. The District does not provide liability protection for privately arranged trips and is not responsible for any damages arising from them.

LEGAL REF.: 105 ILCS 5/29-3.1.

CROSS REF.: 7:270 (Administering Medicines to Students)

Instruction

Administrative Procedure - Field Trip Guidelines

Actor	Action
Teacher(s) or administrator proposing the trip	<p>Submits to the Building Principal all trip requests. The request must specifically describe:</p> <ul style="list-style-type: none"> • The trip, including possible dates, location, and experience; • The trip's educational value; • Transportation requirements; • Supervision plans that include, among other things, plans for at least one adult supervisor to be present with every grouping of students; • The students who will be involved; • The alternative experience that will be provided non-participating students; and • Whether a similar trip has occurred previously.
Building Principal	<p>If the requested trip is:</p> <ul style="list-style-type: none"> • Within a 300-mile radius of the school and does not extend overnight, decides whether to approve the trip; or • Beyond a 300-mile radius of the school and/or extends overnight, decides whether to recommend a requested trip for Board approval. <p>Using his or her discretion, decides whether to approve, or recommend for Board approval, individual trips based on:</p> <ul style="list-style-type: none"> • Educational value • Distance to be traveled • Location • Travel arrangements • Fees • Parent concerns • Insurance carrier's liability feedback • Safety considerations • Heightened security alerts • Whether trip is an annual event <p>The following responses or recommendations may be made:</p> <ul style="list-style-type: none"> • Approves the trip • Approves trips only to local sites • Prohibits long distance trips and/or those to major cities • Prohibits trips to countries under a travelers' advisory • Replaces international trips with trips to domestic locales • Prohibits travel by air • Asks for additional information from the individuals who

Actor	Action
	<p>requested the trip's approval</p> <ul style="list-style-type: none"> • Disapproves the trip • Makes other response according to circumstances <p>Makes preliminary transportation arrangements.</p>
Appropriate teacher(s) and Building Principal	<p>Make final transportation arrangements.</p> <p>Recruit parents/guardians for supervisory roles, as appropriate.</p> <p>Collect signed consent forms and fees from all participating students' parents/guardians.</p> <p>Make sure all supervisors have a list of the following:</p> <ul style="list-style-type: none"> • Names of all student participants and supervisors • Names and specifics of students with special needs • Name/phone number of emergency contacts for all students and supervisors • Date/time and specific destination of trip • Departure/arrival times both to and from destination • Name and phone number of transportation company and primary contact in case of emergency • Name/phone number of contact at destination • Once at destination, where to go in case of an emergency <p>Make final supervisor assignments and inform all supervisors of their individual assignments.</p>
Parents/guardians	<p>Decide whether to consent to their student's participation.</p> <p>If the student is participating, pay all applicable fees for entry, food, lodging, special transportation, or other costs; except that the District will pay such costs for students who qualify for free and reduced school lunches.</p>
Teacher(s) or administrator proposing the field trip	<p>After a trip, evaluates the trip and provides the Building Principal with the evaluation.</p>

Instruction

Exhibit – Field Trip Request Forms

Field Trip Request

Please fill out both sides of this form and return to building principal.

1. Proposed date: _____
2. Proposed itinerary (list approximate times)

Time:	Activity/Location
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
3. Briefly describe activities and educational value: _____

4. If there are students who will not be going on the trip how will supervision be provided? _____

5. Please list all teachers and aides who will be going on the trip: _____

6. How many additional chaperones are needed (if any)? _____
7. What costs are associated with the trip (e.g. tickets, meals, etc.)? _____

8. Cost per student: _____

Pre-Trip Checklist:

- Permission slips sent home (at least 2 weeks in advance)
- Notify students who are ineligible to attend trip
- Notify lunchroom personnel of students going on trip (1 week in advance)
- Fees collected from students and deposited (3 days in advance)
- Medications to be distributed from health aide (2 days in advance)
- Alert district office of any checks needed. (1 day in advance)
(NOTE: Final amount may need to wait until day of trip.)
- List of students riding on each bus to office (1 day in advance)
- List of students staying back given to office (1 day in advance)

Bus Requisition Form

Please fill out both sides of this form and return to building principal.

Date of Trip: ____/____/____ (Circle one) M T W R F

Person Making Request: _____

School: (circle one) NP WF SB Grades: _____

Number of students: _____ Number of Chaperones: _____

Number of buses requested: _____

Time of Departure from School: _____

Time of Arrival Back at School: _____

Destination(s): Address: Phone:

If directions are available please photocopy and attach to this form.

Signature of Principal: _____ Date: ____/____/____

For Transportation Department:

Trip Scheduled? Yes or No Date Scheduled: ____/____/____

Number of Buses Scheduled: _____

Name of Driver(s) Assigned: _____

Signature of Transportation Coordinator: _____

Give copies of this form to: Superintendent, Building Secretary, Principal, Health Aide, Person making request, Bus drivers, Lunchroom Personnel

Instruction

Community Resource Persons and Volunteers

The School Board encourages the use of volunteers to: (1) increase students' educational attainment, (2) provide enrichment experiences for students, (3) increase the effective utilization of staff time and skills, (4) give more individual attention to students, and (5) promote greater community involvement.

Resource persons and volunteers may be used:

1. For non-teaching duties not requiring instructional judgment or evaluation of students;
2. For supervising study halls, long distance teaching reception areas used incident to instructional programs transmitted by electronic media (such as computers, video, and audio), detention and discipline areas, and school-sponsored extracurricular activities;
3. To assist with academic programs under a certificated teacher's immediate supervision;
4. As a guest lecturer or resource person under a certificated teacher's direction and with the administration's approval; or
5. As supervisors, chaperones, or sponsors for non-academic school activities.

The Superintendent shall establish procedures for securing and screening resource persons and volunteers. A person who is a "sex offender," as defined by the Sex Offender Registration Act or a "violent offender against youth," as defined in the Child Murderer and Violent Offender Against Youth Registration Act, is prohibited from being a resource person or volunteer. All volunteer coaches must comply with the requirement to report hazing in policy 5:90, *Abused and Neglected Child Reporting*.

LEGAL REF.: 105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.
730 ILCS 152/101 et seq. and 154/75-105.

CROSS REF.: 4:170 (Safety), 5:280 (Duties and Qualifications), 8:30 (Visitors and Conduct on School Property), 8:95 (Parental Involvement)

Instruction

Administrative Procedure - Securing and Screening Volunteers

The Building Principal or designee directs the use of volunteers within his or her building. Specifically, the Principal or designee directs volunteer recruitment, screening, placement, and training within the following perimeters:

1. **Qualifications.** Volunteers may come from all backgrounds and all age groups. The main qualification for a volunteer is that he or she has a desire to give his or her time and talent in order to enrich student learning opportunities and the school community generally.
2. **Persons Not Allowed to Serve as Volunteers.** No person who is a “child sex offender,” as defined by the Child Sex Offender and Murderer Community Notification Law, may serve as a volunteer. Every time a new list of child sex offenders is received under the Child Sex Offender and Murderer Community Notification Law, the Building Principal or designee shall review it for any person’s name who has submitted a volunteer information form during that school year (6:250-E). Whenever someone submits a new volunteer information form, the Building Principal or designee shall review the child sex offender list. The Building Principal may request a volunteer submit to a criminal background investigation if the individual will be working over a long period of time in direct contact with students where no staff member is continuously present or in other situations where a check would be prudent. ¹
3. **Recruitment.** School personnel may recruit volunteers through the following resources: parent(s)/guardians, parent organizations, retired teachers and other senior citizen groups, community businesses, local volunteer centers, and universities. If a staff member, other than the Principal, recruits a volunteer, the staff member must provide the volunteer’s name and address to the principal.
4. **Role.** During the school day, volunteers serve only in an auxiliary capacity under the direction and supervision of a staff member; they are not a substitute for a member of the school staff. Volunteers do not have access to confidential student school records.
5. **Selection, Placement, and Supervision.** Volunteer selection and placement shall be on the basis of the volunteer’s qualifications and availability and the school’s needs. A volunteer will be assigned to a staff member only with the staff member’s consent. The relationship between a volunteer and staff member should be one of mutual respect and confidence.
6. **Screening.** Screening volunteers is critical because of the vulnerability of the population the school district serves. Each volunteer must register in the school’s main office at the beginning of each visit and wear a name tag while in the building. Unless he or she has already done so during the current academic year, the volunteer must complete an information form and waiver. Absent an indication on the form that the volunteer may not qualify, e.g., the volunteer is a convicted felon, the volunteer may proceed to the assigned activity.

¹ Sample IASB policy 4:170 and AP 4:170-AP2 describe duties under the Child Sex Offender and Murderer Community Notification Law (730 ILCS 152/101 et seq.). A criminal background check on volunteers is **not** required by law. If the board policy prohibits any convicted felon from being a school volunteer, these administrative procedures should do likewise.

A request to volunteer or to continue volunteering will be denied if the volunteer behaves in any manner that demonstrates he or she is not a good role model or is otherwise detrimental to the school environment. Examples of such behavior include: swearing, failing to be dependable, failing to follow the supervisor's instructions, committing any criminal act on school grounds or at a school activity, touching a student in a rude or overly forceful manner, failing to dress in an appropriate manner, or violating any school rule.

7. Training. Each academic year, when a person first completes the volunteer registration form, the Principal or designee should give the person a copy of this administrative procedure along with other pertinent information. The staff member to whom the volunteer is assigned is responsible for explaining his or her expectations of the volunteer. The Principal or designee should arrange appropriate training opportunities for those volunteer activities requiring a skill or knowledge base, e.g., working in the computer lab.

Instruction

Exhibit - Volunteer Information Form and Waiver of Liability

Only one form needs to be completed by a volunteer each school year. Please print clearly in ink:

Information Form

Name _____
 Last *First* *Middle* *Phone*

Address _____
 Street *City* *Zip Code*

E-Mail _____ Cell _____

Personal physician _____ Phone _____

Emergency adult contact _____ Phone _____

Are you now or have you ever been a school volunteer? _____

At which school? _____ Year? _____

The name of any child or ward attending this school: _____

Criminal Conviction Information

Are you a child sex offender? _____

Have you ever been convicted of a felony? _____ *If you answered YES, list all offenses.*

Offense	Date	Place
_____	_____	_____
_____	_____	_____

If requested, are you willing to consent to a criminal background investigation? _____

Waiver of Liability

The School District does not provide liability insurance coverage to non-district personnel serving as volunteers for the School District. The purpose of this waiver is to provide notice to prospective volunteers that they do not have insurance coverage by the School District and to document the volunteer's acknowledgment that they are providing volunteer service at their own risk.

By your signature below:

1. You acknowledge that the School District does not provide insurance coverage for the volunteer for any loss, injuries, illness, or death resulting from the volunteer's unpaid service to the School District.
2. You agree to assume all risk for death or any loss, injury, illness or damage of any nature or kind, arising out of the volunteer's supervised or unsupervised service to the School District, agree to waive any and all claims against the School District, or its officers, Board Members, employees, agents or assigns, for loss due to death, injury, illness or damage of any kind arising out of the volunteer's supervised or unsupervised service to the School District.

Date

Signature of Volunteer

Printed Name of Volunteer

For School Use Only

General description of assignment(s):

- ____ Supervising students as needed by a teacher
- ____ Supervising students during a regularly scheduled activity
- ____ Assisting with academic programs
- ____ Assisting at the resource center or main office
- ____ Assisting with extracurricular program
- ____ Other _____

Name of supervising staff member: _____

"Sex offender list" checked by _____ on _____ (mandatory).

Is a criminal background check necessary (the individual will be working over a long period of time in a check would be prudent)? -- (to be answered by Building Principal)

If "yes," and provided the individual authorized the check,

- The date on which the check was requested? _____
- The date on which it was received and reviewed? _____

Reviewed by: _____
Signature

Date

Instruction

Assemblies and Ceremonies

Assemblies must be approved by the Superintendent or designee and be consistent with the District's educational objectives.

The District shall not endorse or otherwise promote invocations, benedictions, and group prayers at any school assembly, ceremony, or other school-sponsored activity.

LEGAL REF.: Lee v. Weisman, 112 S.Ct. 2649 (1992).
Santa Fe Independent School District v. Doe, 120 S.Ct. 2266 (2000)
Jones v. Clear Creek Independent School District, 977 F.2d 963 (5th Cir.1992), *reh'g denied*, 983 F.2d 234 (5th Cir. 1992) and *cert. denied*, 113 S.Ct. 2950 (1993).

CROSS REF.: 6:70 (Teaching About Religion); 6:80 (Teaching About Controversial Issues)

Instruction

Complaints About Curriculum, Instructional Materials, and Programs

Persons with suggestions or complaints about curriculum, instructional materials, and programs should complete a curriculum objection form and/or use the Uniform Grievance Procedure. A parent/guardian may request that his/her child be exempt from using a particular instructional material or program by completing a curriculum objection form.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 8:110 (Public Suggestions and Concerns)

Instruction

Exhibit - Curriculum Objection

To be submitted to the District Complaint Manager

Subject area:	
Classroom teacher:	
Complaint initiated by:	
Complainant represents:	<input type="checkbox"/> parent/guardian of student <input type="checkbox"/> student <input type="checkbox"/> organization (specify):

1. Please state, as precisely as possible, the specific curriculum area, instructional material, or program to which the user objects. (Name, title, author, publisher, and any other identifying information.)

2. How did you become aware of the curriculum area, instructional material, or program?

by classroom observation

by review

by word-of-mouth

other

Describe: _____

3. To what in the curriculum area, instructional material, or program do you object? Be specific.

4. What would you like the District to do about this curriculum, instructional material, or program?

- Withdraw it from the District's educational program.
- Refer it to a District committee for evaluation.
- Exclude the student(s) listed below from participation.

In place of participation in the curriculum area, what course of study would you recommend for the student(s) listed previously?

Signature of Complainant: _____

Name of Complainant (*please print*): _____

Address: _____

Telephone: _____

Date: _____

Instruction

Guidance and Counseling Program ¹

The School District provides social work services to students when needed as its guidance and counseling program. ² The Superintendent or designee shall direct the District's school social program. School counseling services, as described by State law, may be performed by a qualified guidance specialist or any certificated staff member. ³

Each staff member is responsible for effectively guiding students under his/her supervision in order to provide early identification of intellectual, emotional, social, or physical needs, diagnosis of any learning disabilities, and development of educational potential. The District's counselors shall offer counseling to those students who require additional assistance.

LEGAL REF.: 105 ILCS 5/10-22.24a and 5/10-22.24b.
23 Ill. Admin. Code §§ 1.420(q) and 1.420(b).

CROSS REF.: 7:250 (Student Welfare Services)

¹ State or federal law controls this policy's content.

² School boards may employ counselors (105 ILCS 5/10-22.24a and 5/10-22.24b. State law provides that school guidance services include, but are not limited to:

(1) educational planning; (2) career development and counseling; (3) college counseling; (4) developing and facilitating anti-violence education or conflict resolution programs, or both; (5) providing crisis intervention programs within the school setting; (6) making appropriate referrals to outside agencies; (7) interpreting achievement, career, and vocational test information; (8) developing individual career plans for all students; (9) providing individual and small group counseling; (10) addressing the developmental needs of students by designing curricula for classroom counseling and guidance; (11) consultant and counseling with parents for the academic, career, and personal success of their children; (12) facilitating school to work transition programs; and (13) supervising school counseling interns enrolled in school counseling programs that meet the standards of the State Board of Education.

(105 ILCS 5/10-22.24b, as added by P.A. 91-70, eff. 7-9-99).

Students must have daily access to a counselor (23 Ill. Admin. Code § 1.440b). A program to assist educationally disadvantaged children may include special guidance and counseling (105 ILCS 5/14B-2). All districts must conduct a comprehensive needs assessment to determine the scope of pupil needs (23 Ill. Admin. Code § 1.420(q)).

³ Optional. 105 ILCS 5/10-22.24b, provides that any qualified professional, including other certificated personnel, may provide school counseling services. The following optional sentence recognizes the importance of interventions; however, it creates duties that are not present in law. This is a classic "who, gets what, for how much" issue.

The counseling program will assist students with interventions related to academic, social and/or personal issues. Students shall be encouraged to seek academic, social, and /or personal assistance.

Instruction

Grading and Promotion

The Superintendent or designee shall establish a system of grading and reporting academic achievement to students and their parents and guardians. The system shall also determine when promotion and graduation requirements are met. The decision to promote a student to the next grade level shall be based on successful completion of the curriculum, attendance, and performance on *Partnership for Assessment for College and Careers (PARCC)* and/or other assessments. A student shall not be promoted based upon age or any other social reason not related to academic performance. The administration shall determine remedial assistance for a student who is not promoted.

Every teacher shall maintain an evaluation record for each student in the teacher's classroom. The final grade assigned by the teacher cannot be changed by a District administrator without notifying the teacher. Reasons for changing a student's final grade include:

- A miscalculation of test scores;
- A technical error in assigning a particular grade or score;
- The teacher agrees to allow the student to do extra work that may impact the grade;
- An inappropriate grading system used to determine the grade; or
- An inappropriate grade based on an appropriate grading system.

Should a grade change be made, the administrator making the change must sign the changed record.

LEGAL REF.: 105 ILCS 5/2-3.64a-5, 5/10-20.9a, 5/10-21.8, and 5/27-27.

CROSS REF.: 6:300 (Graduation Requirements), 6:340 (Student Testing and Assessment Program), 7:50 (School Admissions and Student Transfers To and From Non-District Schools)

Instruction

Administrative Procedure - Evaluating and Reporting Student Achievement

Actor	Action
Teacher	<p>Informs students about the grading system at the beginning of each school year or term, whichever is applicable.</p> <p>Explains that grades: (1) assess progress toward education goals and assist in the improvement of that progress, (2) will be given by the teacher, using his or her professional judgment, in an impartial and consistent manner, and (3) will reflect excessive, unexcused absences.</p> <p>Assesses student achievement as demonstrated through such performance indicators as the following (these are not listed in order of importance):</p> <ol style="list-style-type: none"> 1. Preparation of assignments, including completeness, accuracy, legibility, and promptness. 2. Contribution to classroom discussions. 3. Demonstrated understanding of concepts. 4. Application of skills and knowledge to new situations. 5. Organization, presentation, and content of written and oral reports. 6. Originality and reasoning ability when working through problems. 7. Accomplishment in class presentations and projects. 8. Performance on tests, quizzes, and final examinations. <p>Assigns grades for academic improvement and achievement using standardized criterion-referenced test scores, letter grades, and/or other assigned numerical criteria.</p> <p>A grade of "incomplete" should be assigned when a student experiences an excused, extended absence at the end of the term or during final examinations; an incomplete grade, if not satisfied within 2 weeks, will be changed into an "F" grade.</p> <p>Whenever it becomes evident that a student is in danger of failing, arranges a special conference with the parent(s)/guardian(s) or sends the parent(s)/guardian(s) a written report.</p>
Building Principal or designee	<p>Supervises implementation of this administrative procedure.</p> <p>Insures that parent(s)/guardian(s) are informed of their student's progress at regular intervals, but at least 4 times a year, and whenever the student's performance requires special attention.</p>

Actor	Action
	<p>Divorced or separated parents will both be informed unless a court order requires otherwise. All grades and symbols must be appropriately explained.</p> <p>Establishes an appropriate means of communication whenever he or she becomes aware that a parent/guardian is unable to understand written communications from the school or oral communications made during conferences related to the student's progress or school activities.</p> <p>Develops a timetable for deficiency reports.</p> <p>Supervises the various methods for communicating with parents/guardians including:</p> <ol style="list-style-type: none"> 1. Parent-teacher conferences, conducted on a regular basis. They may be scheduled on different days and at different times to accommodate the various grade levels and attendance centers. 2. Open houses, parent education meetings, and newsletters. 3. Interim reports, through which teachers contact parents/guardians whenever teachers believe additional information should be shared. Teachers shall try to be available to meet with parents/guardians at a mutually agreed upon time.
<p>Building Principal or designee <i>[Elementary only]</i></p>	<p>Makes the final decision for a student's retention with input from the classroom teacher, parent/guardian, and other school personnel as appropriate.</p> <p>Retention decisions are based on quantitative measures (e.g., maturity level, ability, and level of academic achievement), supplemented by a qualitative assessment of the student's motivation, self-image, and social adjustment. Students shall not be promoted for purely social reasons.</p> <p>Recommends placement, promotion, or retention based on the student's best interests after a careful evaluation of the advantages and disadvantages of alternatives.</p> <p>For students demonstrating a proficiency level one or more grades below current placement, arranges for an individual remediation plan developed in consultation with the parents/guardians. The remediation plan may include summer school, extended school day, special homework, tutorial sessions, modified instructional materials, other modifications in the instructional program, reduced class size, or retention in grade.</p>

Actor	Action
Building Principal or designee <i>[Secondary only]</i>	Implements a 4.0 system for calculating grade point average (GPA). All advanced placement, honors, and accelerated courses will add one point toward calculating GPA and class rank. Supervises the computation of class rank. Grades in all courses are used in computing GPA and class rank. In computing class rank, all students at a given grade level are included. Designates academic scholars from each year's senior class whose academic rank places them in the top 10% of the class. Administers the pass/fail option in which students may choose to take a one-year course or one course in each semester for credit on a pass/fail basis. A student may only take 8 semesters using this option. The option may not be carried into another year if not used. Prerequisites must be completed before the student's schedule may include a course with the pass/fail arrangement. No more than a one-year course of each general subject area may be taken using the option.
Parents/Guardians	Attend parent-teacher conferences. Provide a study-conducive atmosphere and supervises their child's completion of course work. Sign their student's report cards and other assessment notices and provides appropriate feedback to their child. Whenever a question or concern arises, leave a phone message at the school for the appropriate teacher or other school staff member. In order to object to a grade or retention decision, first confer with the appropriate teacher and, if still not satisfied, contact the Building Principal.
Building Principal or designee <i>[All schools]</i>	Confers with any parent/guardian and/or student who objects to a grade or retention decision. Discusses with the teacher the reasons why the parents/guardians and/or student objects to a grade or retention decision and requests the teacher's perspective. Determines whether to change the grade based on the existence of any of the following: <ul style="list-style-type: none"> • A miscalculation of test scores; • A technical error in assigning a particular grade or score;

Actor	Action
	<ul style="list-style-type: none">• The teacher agrees to allow the student to do extra work that may impact the grade;• An inappropriate grading system used to determine the grade; or• An inappropriate grade based on an appropriate grading system. <p>Decides whether to change the grade and, if so, notifies the teacher of the nature and reason for the change and signs the changed record.</p>

Instruction

Homework

Homework is a necessary part of the District's instructional program. Homework is assigned to further a student's educational development and is an application or adaptation of a classroom experience. The Superintendent shall provide guidance to ensure that homework:

1. Is used to reinforce and apply previously covered concepts, principles, and skills;
2. Is not assigned for disciplinary purposes;
3. Serves as a communication link between the school and parents/guardians;
4. Encourages independent thought, self-direction, and self-discipline; and
5. Is of appropriate frequency and length, and does not become excessive, according to the teacher's best professional judgment.

Instruction

Credit for Proficiency ^{1 2}

Proficiency testing may be used to determine eligible credit for other subjects whenever students enter from non-graded schools, non-recognized or non-accredited schools, or were in a home-schooling program.

LEGAL REF.: 105 ILCS 5/10-22.43, 5/27-12.1, and 5/27-24.3.

CROSS REF.: 7:40 (Nonpublic School Students, Including Parochial and Home-Schooled Students)

¹ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content.

² Districts with a high school must have a policy on earning credit through proficiency exams (23 Ill. Admin. Code § 1.460). This policy should be customized to reflect what high school credit, if any, will be awarded on the basis of local examinations. Proficiency in American Sign Language may be deemed proficiency in a foreign language (105 ILCS 5/10-22.43).

Instruction

Achievements and Awards and Scholarships

Awards and Honors

The Superintendent or designee shall maintain a uniform process for presenting awards, and honors for outstanding scholarship, achievement, and/or distinguished service in District activities in such a way as to minimize bias and promote fairness. The Superintendent or designee shall supervise the selection of the recipient(s).

All donations for awards, honors, and scholarships must receive the School Board's prior approval.

Instruction

Student Testing and Assessment Program

The District student assessment program provides information for determining individual student achievement and instructional needs; curriculum and instruction effectiveness, and school performance measured against District student learning objectives and statewide norms.

The Superintendent or designee shall manage the student assessment program that, at a minimum:

1. Administers the State assessment system, known as the *Partnership for Assessment of Readiness for College and Careers (PARCC)*, to all students and/or and any other appropriate assessment methods and instruments, including norm and criterion-referenced achievement tests, aptitude tests, proficiency tests, and teacher-developed tests.
2. Informs students of the timelines and procedures applicable to their participation in every State assessment. The District's assessment program may include testing students in grades not required by State law to be tested.
3. Provides each student's parents/guardians with the results or scores of each State assessment and an evaluation of the student's progress. See policy 6:280 *Grading and Promotion*.
4. Utilizes professional testing practices.

Overall student assessment data on tests required by State law will be aggregated by the District and reported, along with other information, on the District's annual report card. Board policy 7:340, *Student Records*, and its implementing procedures govern recordkeeping and access issues.

LEGAL REF.: Family Educational Rights and Privacy Act, 20 U.S.C. §1232g.
105 ILCS 5/2-3.63a-5, 5/2-3.64, 5/10-17a, and 5/27-1.

CROSS REF.: 6:15 (School Accountability), 6:280 (Grading and Promotion), 7:340 (Student Records)

Students

Equal Educational Opportunities

Equal educational and extracurricular opportunities shall be available for all students without regard to race, color, national origin, sex, sexual orientation, ancestry, age, religious beliefs, physical and mental handicap or disability, status as homeless, immigration status, or actual or potential marital or parental status, including pregnancy. Further, the District will not knowingly enter into agreements with any entity or any individual that discriminates against students on the basis of sex or any other protected status, except that the District remains viewpoint neutral when granting access to school facilities under Board policy 8:20, *Community Use of School Facilities*. Any student may file a discrimination grievance by using the Uniform Grievance Procedure (see Policy 2.260).

Sex Equity

No student shall, based on sex, be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities.

Any student may file a sex equity complaint by using the Uniform Grievance Procedure. A student may appeal the School Board's resolution of the complaint to the Regional Superintendent of Schools (pursuant to 105 ILCS 5/3-10 of The School Code) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8 of The School Code).

Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator. The Superintendent and Building Principal shall use reasonable measures to inform staff members and student of this policy and grievance procedure.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. § 11431 et seq.
Title IX, 20 U.S.C. § 1681 et seq.; Title IX of the Education Amendments, implemented by 34 C.F.R. Part 106.
Rehabilitation Act of 1973, 29 U.S.C. § 791 et seq.
Religious Freedom Restoration Act, 775 ILCS 35/5.
Ill. Constitution, Art. I, § 18.
Good News Club v. Milford Central School, 121 S.Ct. 2093 (2001).
105 ILCS 5/10-21.3, 5/10-22.5, 5/22-19, and 5/27-1.
23 Ill. Admin. Code §§ 1.240, 200.40, and 200.50.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 6:220 (Instructional Materials Selection and Adoption), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:20 (Harassment of Students Prohibited), 7:130 (Student Rights and Responsibilities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:330 (Student Use of Buildings - Equal Access), 8:20 (Community Use of School Facilities)

Students

Student and Family Privacy Rights ^{1 2}

Surveys

All surveys requesting personal information from students, as well as any other instrument used to collect personal information from students, must advance or relate to the District's educational objectives as identified in Board policy 6:10, *Educational Philosophy and Objectives*, or assist students' career choices. This applies to all surveys, regardless of whether the student answering the questions can be identified and regardless of who created the survey.

Surveys Created by a Third Party ³

Before a school official or staff member administers or distributes a survey or evaluation created by a third party to a student, the student's parent(s)/guardian(s) may inspect the survey or evaluation, upon their request and within a reasonable time of their request.

This section applies to every survey: (1) that is created by a person or entity other than a District official, staff member, or student, (2) regardless of whether the student answering the questions can be identified, and (3) regardless of the subject matter of the questions.

Survey Requesting Personal Information ⁴

School officials and staff members shall not request, nor disclose, the identity of any student who completes any survey or evaluation (created by any person or entity, including the District) containing one or more of the following items:

1. Political affiliations or beliefs of the student or the student's parent/guardian.
2. Mental or psychological problems of the student or the student's family.
3. Behavior or attitudes about sex.
4. Illegal, anti-social, self-incriminating, or demeaning behavior.
5. Critical appraisals of other individuals with whom students have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian.
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

¹ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content.

² The No Child Left Behind Act of 2001 significantly changed the Protection of Pupil Rights Act, a/k/a/ the Hatch Amendments. The Protection of Pupil Rights Act now requires any school district, "that receives funds under any applicable program [to] develop and adopt policies, in consultation with parents, regarding [statutory privacy rights]." (20 U.S.C. §1232h(c)(1). "Any applicable program" generally refers to any federal program administered by the U.S. Department of Education (20 U.S.C. §1221(c). "Consultation with parents" is not defined; boards are advised, at minimum, to publicize the issue and request public comment during the policy's adoption.

³ Required by 20 U.S.C. §§1232h(c)(1)(A)(i) and 1232h(c)(2)(A)(ii).

⁴ Required by 20 U.S.C. §1232h(c)(1)(B).

The student's parent(s)/guardian(s) may:

1. Inspect the survey or evaluation upon, and within a reasonable time of, their request, **5** and/or
2. Refuse to allow their child or ward to participate in the activity described above. **6**
The school shall not penalize any student whose parent(s)/guardian(s) exercised this option.

Instructional Material **7**

A student's parent(s)/guardian(s) may inspect, upon their request, any instructional material used as part of their child/ward's educational curriculum within a reasonable time of their request.

The term "instructional material" means instructional content that is provided to a student, regardless of its format, printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments. **8**

Physical Exams or Screenings

No school official or staff member shall subject a student to a non-emergency, invasive physical examination or screening as a condition of school attendance. The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, head lice, or scoliosis screening.

The above paragraph does not apply to any physical examination or screening that:

1. Is permitted or required by an applicable State law, including physical examinations or screenings that are permitted without parental notification. **9**
2. Is administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.). **10**
3. Is otherwise authorized by Board policy. **11**

Selling or Marketing Students' Personal Information Is Prohibited **12**

No school official or staff member shall market or sell personal information concerning students (or otherwise provide that information to others for that purpose). The term "personal information" means individually identifiable information including: (1) a student or parent's first and last name, (2) a home or other physical address (including street name and

5 Id.

6 20 U.S.C. §1232h(c)(2)(A)(ii).

7 Required by 20 U.S.C. §1232h(c)(1)(C)(i).

8 20 U.S.C. §1232(c)(6)(A).

9 20 U.S.C. §1232h(c)(4)(B)(ii).

10 20 U.S.C. §1232h(c)(5)(ii).

11 If a board adopted a drug-testing program for extracurricular participants, that policy should be referenced here and added to this policy's cross-references. (See the optional program in 7:240, *Conduct Code for Participants in Extracurricular Activities*.)

12 The Children's Privacy Protection and Parental Empowerment Act, P.A. 93-462, prohibits the sale of personal information concerning a child under the age of 16, with a few exceptions, unless the parent(s)/guardian(s) have consented. Federal law [20 U.S.C. §1232h(c)(1)(E)] is similar but not identical. In order to effectuate both laws, the sample policy prohibits the sale or marketing of "personal information" unless the parents/guardians have consented.

the name of the city or town), (3) a telephone number, (4) a Social Security identification number. ¹³

The above paragraph does not apply: (1) if the student's parent(s)/guardian(s) have consented; or (2) to the collection, disclosure or, use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions, such as the following: ¹⁴

1. Book clubs, magazines, and programs providing access to low-cost literary products.
2. Curriculum and instructional materials used by elementary schools and secondary schools.
3. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
4. The sale by students of products or services to raise funds for school-related or education-related activities.
5. Student recognition programs.

Under no circumstances may a school official or staff member provide a student's "personal information" to a business organization or financial institution that issues credit or debit cards. ¹⁵

Notification of Rights and Procedures ¹⁶

The Superintendent or designee shall notify students' parents/guardians of:

1. This policy as well as its availability upon request from the general administration office.
2. How to opt their child or ward out of participation in activities as provided in this policy.
3. The approximate dates during the school year when a survey requesting personal information, as described above, is scheduled or expected to be scheduled. ¹⁷
4. How to request access to any survey or other material described in this policy.

This notification shall be given parents/guardians at least annually, at the beginning of the school year, and within a reasonable period after any substantive change in this policy.

¹³ 20 U.S.C. §1232(c)(6)(E); Children's Privacy Protection and Parental Empowerment Act, P.A. 93-462.

¹⁴ Id.

¹⁵ 105 ILCS 5/10-20.37, as added by P.A. 93-549.

¹⁶ The details in this section are specified in and required by 20 U.S.C. §1232h(c)(2). This information should be in the student handbook.

¹⁷ If the board chose to keep the option of marketing personal information received from students and/or conducting physical exams, add the following to this list as appropriate: "collection of personal information from students for marketing and physical examinations or screenings."

LEGAL REF.: Protection of Pupil Rights, 20 U.S.C. §1232h.
Children's Privacy Protection and Parental Empowerment Act, P.A. 93-462.
105 ILCS 5/10-20.37.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 6:210 (Instructional Materials),
6:220 (Instructional Materials Selection and Adoption), 6:260 (Complaints
About Curriculum, Instructional Materials, and Programs), 7:130 (Student
Rights and Responsibilities)

Students

Exhibit - Notification to Parents of Family Privacy Rights ¹

The School Board has a policy concerning privacy and parental access to information. A complete copy of the policy 7:15, *Student and Family Privacy Rights*, is available upon your request from the general administration office. Please read the policy for a more thorough explanation of these rights.

Please note that a student’s parent(s)/guardian(s) may inspect certain documents and/or refuse to allow their child or ward to participate in activities described in the box below. The school will not penalize any student whose parent(s)/guardian(s) exercises this option.

<p>Your child or ward will be asked to complete a survey as described below: <i>[District inserts survey description, the topics being surveyed, whether it was created by a third party, and whether it will be anonymous.]</i></p> <p>_____</p> <p>_____</p> <p>This activity is scheduled on or about _____. <i>[District inserts date before sending notification]</i></p> <p>If you would like to inspect this survey, please contact the school where your child or ward is enrolled by _____. <i>[District inserts required response date]</i></p> <p>If we do not hear from you by this date, we will assume you do not object to having your child or ward participate in the survey.</p>

¹ The Protection of Pupil Rights Act grants parents the right to preview surveys and to prohibit their child’s participation (20 U.S.C. § 1232h(c)). **This form does not contain the mandatory notifications if a board adopts optional provisions concerning invasive physical examinations.** (See f/ns 2, 9, and 13 in sample policy 7:15, *Student and Family Privacy Rights*.)

Students

Harassment of Students Prohibited

No person, including a District employee or agent, or student shall harass, intimidate, or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable discharge from military service; sex; sexual orientation; gender identity; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, or visual, that affects tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

Sexual Harassment Prohibited

Sexual harassment of students is prohibited. Any person, including a district employee or agent, or student, engages in sexual harassment whenever he or she makes sexual advances, requests sexual favors, and/or engages in other verbal or physical conduct, including sexual violence, of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student's academic status; or
2. Has the purpose or effect of:
 - a. Substantially interfering with a student's educational environment;
 - b. Creating an intimidating, hostile, or offensive educational environment;
 - c. Depriving a student of educational aid, benefits, services, or treatment; or
 - d. Making submission to or rejection of such conduct the basis for academic decisions affecting a student.

The terms "intimidating," "hostile," and "offensive" include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities. The term sexual violence includes a number of different acts. Examples of sexual violence include, but are not limited to, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

Making a Complaint; Enforcement

Students are encouraged to report claims or incidences of bullying, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, or a Complaint Manager. A student may choose to report to a person of the student's same sex. Complaints will be kept confidential to the extent possible given the need to investigate. Students who make good faith complaints will not be disciplined.

An allegation that a student was a victim of any prohibited conduct perpetrated by another student shall be referred to the Building Principal or Assistant Building Principal for appropriate action.

The Superintendent shall insert into this policy the names, addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers. At least one of these individuals will be female, and at least one will be male.

Nondiscrimination Coordinator:

Superintendent or designee
500 North Ave
Winthrop Harbor, IL 60096
pgoodwin@whsd1.org
847-731-3085

Complaint Managers:

Building Principal or designee	
500 North Ave	2309 – 9 th St
Winthrop Harbor, IL 60096	Winthrop Harbor, IL 60096
cnottingham@whsd1.org	spoopping@whsd1.org
847-731-3089	847-872-5438

The Superintendent shall use reasonable measures to inform staff members and students of this policy, such as, by including it in the appropriate handbooks.

Any District employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action up to and including discharge. Any District student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the discipline policy. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Educational Amendments.
34 C.F.R. Part 106.
105 ILCS 5/10-20.12, 10-22.5, 5/27-1, and 5/27-23.7.
23 Ill. Admin. Code §1.240 and Part 200.
Davis v. Monroe County Board of Education, 119 S.Ct. 1661 (1999).
Franklin v. Gwinnett Co. Public Schools, 112 S.Ct. 1028 (1992).

Gebser v. Lago Vista Independent School District, 118 S.Ct. 1989 (1998).

West v. Derby Unified School District No. 260, 206 F.3d 1358 (10th Cir. 2000).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:20 (Workplace Harassment Prohibited), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Discipline), 7:240 (Conduct Code for Participants in Extracurricular Activities)

Students

Administrative Procedure - Harassment of Students Prohibited

Actor	Action
Building Principal or Designee	Distribute and publicize Board policy 7:20, <i>Harassment of Students Prohibited</i> , and Board policy 2:260, <i>Uniform Grievance Procedure</i> using various methods, including annually publishing them in the student and staff handbooks.
Building Principal or Designee	Take measures to prevent harassment of students, including: 1 <ol style="list-style-type: none"> 1. Conducting periodic harassment awareness training for all school staff, including administrators, teachers, and guidance counselors; 2. Conducting periodic age-appropriate harassment awareness training for students; 3. Establishing discussion groups in which students can discuss what constitutes harassment and how to respond to it in the school setting; 4. Surveying students to find out whether harassment is occurring at the school; 5. Conducting periodic harassment awareness training for parent(s)/guardian(s); and 6. Working with parent(s)/guardian(s) and students to develop and implement age-appropriate, effective measures for addressing harassment.
Nondiscrimination Coordinator or Grievance Complaint Manager	Take measures to thoroughly and promptly investigate allegations of harassment, including: <ol style="list-style-type: none"> 1. Distributing Board policy 2:260, <i>Uniform Grievance Procedure</i>, to any person upon request; 2. Following Board policy 2:260, <i>Uniform Grievance Procedure</i>; 3. Notifying a student's parent(s)/guardian(s) that they may attend any investigatory meetings in which their child is present; and 4. Keeping a complaining parent(s)/guardian(s) informed of any investigation's progress.
All District Staff Members	Shall comply with the child abuse reporting laws. Keep the harassment investigation's progress, as well as students' oral or written statements, confidential, except that the Superintendent will be kept informed of the investigation's progress.

1 These are suggestions are based on the U.S. Department of Education's pamphlet, "Sexual Harassment: It's Not Academic." The pamphlet also states:

Adoption of strong preventive measures is often the best way to confront the serious problem of sexual harassment. In addition, the steps described above may also be useful in responding to sexual harassment once it has occurred to ensure that it does not happen again.

Students

Student Assignment and Intra-District Transfer

Attendance Areas

The School District consists of a single attendance area. Student assignment to one of two district-operated schools is based solely on grade level. Westfield School serves grades K-4, and North Prairie Jr. High serves grades 5-8.

Class Assignments

The Superintendent or designee shall assign students to classes.

LEGAL REF.: 105 ILCS 5/10-21.3, 5/10-21.3a, and 5/10-22.5.

CROSS REF.: 4:170 (Safety), 6:15 (School Accountability), 6:30 (Organization of Instruction), 6:140 (Education of Homeless Children)

Students

Nonpublic School Students, Including Parochial and Home-Schooled Students

Part-Time Attendance

The District accepts nonpublic school students, including parochial and home-schooled students, who live within the District for part-time attendance in the District's middle school regular education program on a space-available basis in specific subject areas. Requests for part-time attendance must be submitted to the principal of the school in the school attendance area where the student resides. All requests for attendance in the following school year must be submitted before August 1.

Students accepted for partial enrollment must comply with all discipline and attendance requirements established by the school. A private school student may attend any cocurricular activity associated with a District class in which he or she is enrolled. The parent(s)/guardian(s) of a student accepted for part-time attendance is responsible for all fees, pro-rated on the basis of a percentage of full-time fees. Transportation to and/or from school is provided to non-public school students on regular bus routes to or from a point on the route nearest or most easily accessible to the non-public school or student's home. This transportation shall be on the same basis as the District provides transportation for its full-time students. Transportation on other than established bus routes shall be the responsibility of the parent(s)/guardian(s).

Students with a Disability

The District will accept for part-time attendance those students with disabilities who live within the District and are enrolled in non-public schools. Requests must be submitted by the student's parent(s)/guardian(s). Special educational services shall be provided to such students as soon as possible after identification, evaluation, and placement procedures provided by State law, but no later than the beginning of the next school semester following the completion of such procedures. Transportation for such students shall be provided only if required in the child's individualized educational program on the basis of the child's disabling condition or as the special education program location may require.

Extracurricular Activities, Including Interscholastic Competition

A nonpublic school student is eligible to participate: (1) in interscholastic competition, provided his or her participation adheres to the regulations established by any association in which the School District maintains a membership, and (2) non-athletic extracurricular activities. A nonpublic student who participates in an extracurricular activity is subject to all policies, regulations, and rules that are applicable to other participants in the activity.

Assignment When Enrolling Full-Time in a District School

Grade placement by, and academic credits earned at, a nonpublic school will be accepted if the school has a Certificate of Nonpublic School Recognition from the Illinois State Board of

Education, or, if outside Illinois, if the school is accredited by the state agency governing education.

A student who, after receiving instruction in a non-recognized or non-accredited school, enrolls in the District will: (1) be assigned to a grade level according to academic proficiency, and/or (2) have academic credits recognized by the District if the student demonstrates appropriate academic proficiency to the school administration. Any portion of a student's transcript relating to such instruction will not be considered for placement on the honor roll or computation in class rank.

Recognition of grade placement and academic credits awarded by a nonpublic school is at the sole discretion of the District. All school and class assignments will be made according to Board policy 7:30, Student Assignment, as well as administrative procedures implementing this policy.

LEGAL REF.: 105 ILCS 5/10-20.24 and 5/14-6.01.

CROSS REF.: 4:110 (Transportation), 6:170 (Title I Programs), 6:190 (Extracurricular and Co-Curricular Activities), 6:320 (Credit for Proficiency), 7:30 (Student Assignment), 7:300 (Extracurricular Athletics)

Students

Administrative Procedure – Assignment

1. The District retains the absolute right for assignment of all students.
2. The parent(s)/guardian(s), teacher, student (when appropriate), and the Building Principal shall meet to consider appropriate placement at grade level.
3. The parent/guardian must complete a “Registration of Student from Non-Accredited School / Home School” form for each home-schooled student and submit it to the Superintendent. On this form, the parent/guardian must indicate the grade level at which the student desires to enter. Students will not be placed at a grade level higher than their age appropriate peers.
4. The parent/guardian agrees to have each home-schooled student tested by District-assigned personnel using the Measurement of Academic Progress (MAP) Test for determining an overall grade equivalency rating in all subject areas.
5. The determination of a home-schooled student’s grade placement will be made by the Superintendent after reviewing the registration form and MAP Test Scores. A student must obtain the expected RIT range score in all subject areas for the grade level requested before placement at that level will be granted. Each student’s overall ability level or composite score on the MAP Test will be used in making the final determination regarding grade placement.
6. The parent/guardian has the right to appeal the grade placement decision made by the Superintendent by petitioning the Winthrop Harbor School District Board of Education. The decision made by the Board of Education will be final.

Students

Exhibit – Registration of Student from Non-Accredited School / Home School

Registration of Student from Non-Accredited School / Home School

Name of Student: _____ Date of Birth: _____

Address: _____

Phone: _____

Grade Level at which Student desires to Enter: _____

Courses Completed In Non-Accredited School / Home School (use additional pages, if necessary):

Parent / Guardian Signature

Results of Measurement of Academic Progress (MAP) Test

Approved/Denied at Grade Level Requested:

Based on the School District's Policy for the Admission of Students from Non-Accredited Schools / Home School, it is our determination that the above named student be placed at the _____ grade level.

Signature of Superintendent

Students

School Admissions and Student Transfers To and From Non-District Schools

Age

To be eligible for admission, a child must be 5 years old on or before September 1 of that school term. A child with exceptional needs who qualifies for special education services is eligible for admission at 3 years of age.

Parents/guardians may request early admission for a child. The Superintendent or designee shall assess the child's readiness to attend school and make the decision accordingly. This assessment will be based on an objective test of school readiness.

Admission Procedure

All students must register for school each year on the dates and at the place designated by the Superintendent.

Parents/guardians of students enrolling in the District for the first time must present:

1. A certified copy of the student's birth certificate or other reliable proof of identity and age. The school shall promptly make a copy of the certified copy for its records, place the copy in the student's temporary record, and return the original to the person enrolling the child. Upon the failure of a person enrolling a student to provide a copy of the student's birth certificate or other reliable proof of identity and age, the Building Principal or designee shall immediately notify the local law enforcement agency and shall also notify the person enrolling the student in writing that, unless he or she complies within 10 days, the case shall be referred to the local law enforcement authority for investigation. If compliance is not obtained within that 10-day period, the Principal or designee shall so refer the case. The Principal or designee shall immediately report to the local law enforcement authority any material received pursuant to this paragraph that appears inaccurate or suspicious in form or content.
2. Proof of residence, as required by Board policy 7:60, *Residence*.
3. Proof of disease immunization or detection and the required physical examination, as required by State law and Board policy 7:100, *Health Examinations, Immunizations, and Exclusion of Students*.

The individual enrolling a student shall be given the opportunity to voluntarily state whether the student has a parent or guardian who is a member of a branch of the U. S. Armed Forces and who is either deployed to active duty or expects to be deployed to active duty during the school year. Students who are children of active duty military personnel transferring will be allowed to enter: (a) the same grade level in which they studied at the school from which they transferred, if the transfer occurs during the District's school year, or (b) the grade level following the last grade successfully completed.

Homeless Children

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce records normally required for enrollment. Board policy 6:140, *Education*

Adopted: 2/23/2009

Updated: 3/16/2015, 2/17/2016

of Homeless Children, and its implementing administrative procedure, govern the enrollment of homeless children.

Student Transfers To and From Non-District Schools

A student may transfer into or out of the District according to State law and procedures developed by the Superintendent or designee. A student seeking to transfer into the District must serve the entire term of any suspension or expulsion, imposed for any reason by any public or private school, in this or any other state, before being admitted into the School District.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.
Family Educational Rights and Privacy Act, 20 U.S.C. §1232.
Illegal Immigrant and Immigrant Responsibility Act of 1996, 8 U.S.C. §1101.
20 U.S.C. §1400 et seq.
42 U.S.C. §12101 et seq.
105 ILCS 5/2-3.13a, 5/10-20.12, 5/10-22.5a, 5/14-1.02, 5/14-1.03a, 5/26-1,
5/26-2, 5/27-8.1, and 10/8.1.
325 ILCS 55/1 et seq. and 50/1 et seq.
23 Ill.Admin.Code §375 et seq.

CROSS REF.: 6:140 (Education of Homeless Children), 6:310 (Credit for Alternative Courses and Programs, and Course Substitutions), 7:60 (Residence), 7:70 (Attendance and Truancy), 7:100 (Health Examinations, Immunizations, and Exclusion of Students), 7:340 (Student Records)

Students

Administrative Procedure - School Admissions and Student Transfers To and From Non-District Schools

Transferring In

Steps	Requirements and Actions That Must Be Completed
Compliance with admission eligibility prerequisites in State law and School Board policy	All students seeking admission shall meet all residency, age, health examination, immunization, and other eligibility prerequisites as mandated by State law and School Board policy on admissions. (See 7:50, <i>School Admissions and Student Transfers To and From Non-District Schools</i> .)
Compliance with the Missing Children Records Act and Missing Children Registration Law ¹	<p>The Building Principal or designee of the school into which the student is transferring shall notify in writing the person enrolling the student that within 30 days he or she must provide a certified copy of the student's birth certificate (325 ILCS 55/5(b), 20 Ill.Admin.Code §1290.60(a).</p> <p>If the person enrolling a student fails to comply with the above requirement, the Building Principal or designee shall immediately notify the local law enforcement agency and shall also notify the person enrolling the student in writing that, unless he or she complies within 10 days, the matter will be referred to the local law enforcement authority for investigation. If compliance is not obtained within that 10-day period, refer the case.</p> <p>The Building Principal or designee shall immediately report to the local law enforcement authority and the Department of State Police any affidavit that appears inaccurate or suspicious in form or content (325 ILCS 50/5 and 55/5).</p> <p>The Building Principal or designee shall, within 14 days after enrolling a transfer student, request directly from the student's previous school a certified copy of the student's record (23 Ill.Admin. Code §375.75(b), 325 ILCS 55/5(c).</p>
Compliance with the Good	The parent(s)/guardian(s) of a student who is transferring from an Illinois public school shall present a completed

¹ The Missing Children Records Act (325 ILCS 50/) and the Missing Children Registration Law (325 ILCS 55/) are almost identical. A birth certificate is the only acceptable proof of a child's identity (20 Ill.Admin.Code §1290.60(a).

Steps	Requirements and Actions That Must Be Completed
Standing Requirement	<p>Good Standing Form from the Illinois public school from which the student is transferring (105 ILCS 5/2-3.13a).</p> <p>The Good Standing Form (ISBE Form 33-78) indicates whether the student's medical records are current and whether the student is currently being disciplined by a suspension or expulsion.</p> <p>If the student is transferring from any private school (whether located in Illinois or not) or any non-Illinois public school, the parent(s)/guardian(s) shall certify in writing that the student is not currently serving a suspension or expulsion imposed by the school from which the student is transferring (105 ILCS 5/2-3.13a).</p> <p>The Building Principal or designee shall deny admittance to any student who was suspended or expelled for any reason from any public or private school in this or any other state until the student completes the entire term of the suspension or expulsion (105 ILCS 5/2-3.13a).</p> <p>If the student is transferring from an Illinois public school, the Building Principal or designee shall refuse to admit the student unless the student can produce a Good Standing Form from the student's previous school.</p> <p>If the student is transferring from any private school (whether located in Illinois or not) or any non-Illinois public school, the Building Principal or designee shall refuse to admit the student unless his or her parent(s)/guardian(s) certify in writing that the student is not currently serving a suspension or expulsion imposed by the school from which the student is transferring.</p> <p>The Superintendent or designee may, upon the request of the parent(s)/guardian(s) of a student suspended or expelled for any reason, place the student in an alternative school program established under <u>The School Code</u> (105 ILCS 5/2-3.13a). 2</p>
Compliance with laws concerning education of homeless children ³	The Building Principal or designee shall immediately enroll a homeless child even if the child is unable to produce records normally required for enrollment, in

² Amend this sentence as necessary to be consistent with board policy (see footnote 10, sample policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*).

³ McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq., and 105 ILCS 45/1-1.

Steps	Requirements and Actions That Must Be Completed
	<p>accordance with 6:140, <i>Education of Homeless Children</i> and 6:140-AP, <i>Education of Homeless Children</i> (42 U.S.C. §11432(g)(3)(C)(i) and 105 ILCS 45/1-20.)</p> <p>The Building Principal or designee must immediately contact the school last attended by the child to obtain relevant academic and other records (42 U.S.C. §11432(g)(3)(C)(ii) and 105 ILCS 45/1-10).</p>
Other admission steps	<p>Building Principal or designee shall make the class or grade level assignment, with input from a counselor when needed, and may accept or reject the transferring school's recommendations.</p> <p>When parent(s)/guardian(s) of a student eligible for special education present an individualized education program to a new school, the student must be placed in a program in accordance with the IEP (105 ILCS 5/10-20.12A).</p> <p>The Building Principal or designee shall administer 6:160-E1, <i>Student Home Language Survey</i>, to each student entering the District's schools for the first time (23 Ill.Admin.Code §228.15).</p>

Transferring Out

Steps	Requirements and Action That Must Be Completed
Initial step	<p>The parent(s)/guardian(s) of a student shall notify the Building Principal of their intent, pay outstanding fees or fines, sign a release form authorizing the release of student records, and return all school-owned property.</p>
Compliance with <u>The School Code</u> and the <u>Illinois School Student Records Act</u>	<p>After receiving a request to transfer school student records, the Building Principal or designee of the transferring school must provide written notice of the nature and substance of the information to be transferred and the opportunity to inspect, copy, and challenge the record (23 Ill.Admin.Code §375.70(a)).</p> <p>The Building Principal or designee of the transferring school must forward, within 10 days of the notice of the student's transfer, a copy of the student's school record (105 ILCS 10/8.1). However, if the student has unpaid fines or fees and is transferring to a public school located in Illinois or any other state, an unofficial record of the student's grades will be sent in lieu of the student's official</p>

Steps	Requirements and Action That Must Be Completed
	<p>transcript of scholastic records (105 ILCS 5/2-3.13a(a), 23 Ill.Admin.Code §375.70(h).</p> <p>The Building Principal or designee shall, within 10 days after the student has paid all of his or her outstanding fines and fees and at the school's own expense, forward an official transcript of the scholastic records as defined in 23 Ill.Admin.Code §375.70(f) (105 ILCS 5/2-3.13a(a).</p> <p>If within 150 days after a student leaves a school, the school has not received a request for the student's record, or been presented with other documentation that the student has enrolled in another school, the student is counted in the school's and District's calculation of its annual dropout rate (23 Ill.Admin.Code §375.70(d).</p>
<p>Compliance with the Missing Children Records Act and Missing Children Registration Law</p>	<p>The Building Principal or designee of the transferring school must send the student's records within 10 days of notice, unless the record has been flagged pursuant to the Missing Children's Act; if flagged, the copy shall not be forwarded and the requested school must notify the local law enforcement authority and Department of State Police of the request (105 ILCS 10/8.1, 325 ILCS 55/5(c) and 50/5(a).</p> <p>Note: If the Department of State Police notifies a school of a current or former student's disappearance, the school must flag the student's record so that whenever information regarding the record is requested, the school can immediately report the request to the Department of State Police.</p>
<p>Compliance with the Good Standing Requirement</p>	<p>The Building Principal or designee of the transferring school shall send to the school in which the student will or has enrolled a completed Good Standing Form, and, if a transferring student is currently suspended or expelled, indicate:</p> <ol style="list-style-type: none"> 1. The date and duration of the suspension or expulsion, and 2. Whether the suspension or expulsion is for knowingly possessing in a school building or on school grounds a weapon as defined in the Gun Free Schools Act (20 U.S.C. §8921 <u>et seq.</u>), for knowingly possessing, selling, or delivering in a school building or on school grounds a controlled substance or cannabis, or for

Steps	Requirements and Action That Must Be Completed
	battering a staff member of the school (105 ILCS 5/2-3.13a).
Compliance with the Illinois Domestic Violence Act	<p>If a child transferring to another school is a “protected person” under an order of protection, the petitioner may request the Building Principal or designee to provide written notice of the order of protection, along with a certified copy of the order, to the institution to which the child is transferring (750 ILCS 60/222).</p> <p>The Building Principal or designee shall respond to the above request by providing, within 24 hours of the transfer, or as soon as possible, written notice of the order of protection, along with a certified copy of the order, to the institution to which the child is transferring. ⁴</p>

LEGAL REF.: Family Educational Rights and Privacy Act, 20 U.S.C. §1232.
Missing Children Records Act, 325 ILCS 50/.
Missing Children Registration Law, 325 ILCS 55/.
105 ILCS 5/2-3.13a and 10/8.1.
750 ILCS 60/222.
20 Ill.Admin.Code §1290.60(a).
23 Ill.Admin.Code §375.7c.

⁴ 750 ILCS 60/222. This paragraph is optional but should be consistent with 7:340-AP, *Student Records*.

Students

Residency Requirement

Resident Students

Only students who are residents of the Winthrop Harbor School District may attend a District school without a tuition charge, except otherwise provided below or in State law. A student's residence is the same as the person who has legal custody of the student

A person asserting legal custody over a student, who is not the child's natural or adoptive parent, shall complete a signed statement, stating: (a) that he or she has assumed and exercises legal responsibility for the child, (b) the reason the child lives with him or her, other than to receive an education in the District, and (c) that he or she exercises full control over the child regarding daily educational and medical decisions in case of emergency. If the District knows the current address of the child's natural or adoptive parent, the District shall request in writing that the person complete a signed statement or Power of Attorney stating: (a) the role and responsibility of the person with whom their child is living, and (b) that the person with whom the child is living has full control over the child regarding daily educational and medical decisions in case of emergency.

A student whose family moves out of the District during the school year will be permitted to attend school for the remainder of the year without payment of tuition. If a student's family plans to move into the District within 31 calendar days from the first day of the school year, the student will be allowed to attend school at the beginning of the school year without payment of tuition. If a student's family is living in or is planning to move into a home that has been approved for annexation into the District by the Regional Board of School Trustees of Lake County, Illinois, the student will be allowed to attend school without payment of tuition.

When a student's change of residence is due to the military service obligation of the student's legal custodian, the student's residence is deemed to be unchanged for the duration of the custodian's military service obligation if the student's custodian made a written request. The District, however, is not responsible for the student's transportation to or from school.

If, at the time of enrollment, a dependent child of military personnel is housed in temporary housing located outside of the District, but will be living within the District within 60 days after the time of initial enrollment, the child is allowed to enroll, subject to the requirements of State law, and must not be charged tuition.

Proof of Residency

The following groups of students in the Winthrop Harbor School District No. 1 must show proof of residency:

1. All kindergarten children
2. All new registrations - this shall include students who have recently moved into the district from other communities.

Parents / legal guardians must provide:

1. Unpaid utility bill or deposit receipt indicating address

and one of the following as proof of residence:

1. Lease agreement
2. Driver's license or State identification
3. Purchase or Sales Agreement
4. Voter registration
5. Social Services Papers - Social Security, General Assistance, or Aid for Families with Dependent Children (AFDC)
6. Rent receipt including verification of landlord's address and phone number

Challenging a Student's Residence Status

If the Superintendent or designee determines that a student attending school on a tuition-free basis is a non-resident of the District, he or she on behalf of the Board shall notify the parent / legal guardian that a judgment of non-residency has been made. The notice shall be given by certified mail, return receipt requested. The parent / legal guardian may challenge this judgment and request a hearing before the Winthrop Harbor Board of Education. The decision of the Board of Education is final.

Requests for Non-Resident Student Admission

Non-resident students may attend District schools upon the approval of a request submitted by the student's parent(s)/guardian(s) for non-resident admission. The Superintendent may approve the request subject to the following:

1. The student will attend on a year-to-year basis. Approval for any one year is not authorization to attend a following year.
2. The student will be accepted only if there is sufficient room.
3. The student's parent(s)/guardian(s) will be charged the maximum amount of tuition as allowed by State Law (Payments will be made quarterly and in advance).
4. The student's parent(s)/guardian(s) will be responsible for transporting the student to and from school.
5. All students will need the approval of the district superintendent. Criterion for consideration includes, but is not limited to, attendance and behavior.

Homeless Children

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce records normally required to establish residency. Board policy 6:140, Education of Homeless Children, and its implementing administrative procedure, govern the enrollment of homeless children.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.
105 ILCS 5/10-20.12a, 5/10-20.12b, and 5/10-22.5.
105 ILCS 45/.
23 Ill.Admin.Code §1.240.
Israel S. by Owens v. Board of Educ. of Oak Park and River Forest High School Dist. 200, 601 N.E.2d 1264 (Ill.App.1, 1992).
Joel R. v. Board of Education of Manheim School District 83, 686 N.E.2d 650 (Ill.App.1, 1997).
Kraut v. Rachford, 366 N.E.2d 497 (Ill.App.1, 1977).

CROSS REF.: 6:15 (School Accountability *containing* "School Choice for Students Enrolled in a School Identified for Improvement, Corrective Action, or Restructuring"), 6:140 (Education of Homeless Children), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:70 (Attendance and Truancy)

Students

Administrative Procedure - Challenging a Student's Residence Status ¹

Actor	Action
Superintendent or Designee	On behalf of the School Board, notifies the person who enrolled a student of the tuition amount due to the District for the non-resident student's attendance. The notice shall be sent by certified mail, return receipt requested.
Person Enrolling the Student	<p>Within 10 days after receipt of the notice, may request a hearing to review the determination that tuition is due. The request shall be sent certified mail, return receipt requested, to the District Superintendent.</p> <p>If a hearing is requested to review the Board's decision: May request that the student continue attendance at the District's schools pending the Board's final decision. Such attendance shall not relieve the person who enrolled the student of the obligation to pay the tuition for that attendance if the Board decides the student is a non-resident who must pay tuition.</p>
Superintendent or Designee	On behalf of the Board and within 10 days after receiving the hearing request, shall notify the person requesting the hearing of its time and place; the notification shall be sent by certified mail, return receipt requested. The hearing shall be held not less than 10 nor more than 20 days after this hearing notice is given.
School Board or Hearing Officer Designated by the Board	<p>Conducts the hearing. At the hearing: (1) the Board and the person who enrolled the student may use representatives of their choice, and (2) the person who enrolled the student has the burden of going forward with the evidence concerning the student's residency.</p> <p>If the hearing is conducted by a hearing officer: Within 5 days after the hearing's conclusion, sends a written report of his or her findings to the Board and to the person who enrolled the student. The report shall be sent by certified mail, return receipt requested.</p>
Person Who Enrolled the Student	If the hearing is conducted by a hearing officer: Within 5 days after receiving the hearing officer's findings, may file written objections to the findings with the Board. The objections shall be sent by certified mail, return receipt

¹ The timelines and other requirements contained in this procedure are required by 105 ILCS 5/10-20.12b.

Actor	Action
	requested, addressed to the District Superintendent.
School Board	<p>Whether the hearing is conducted by the Board or a hearing officer: Within 15 days after the hearing's conclusion, decides whether or not the student is a resident of the District and the amount of any tuition required to be charged as a result of the student's attendance in the District's schools; sends a copy of its decision to the person who enrolled the student. The Board's decision is final.</p> <p>If a student is determined to be a non-resident: Must refuse to permit the student to continue attending the schools unless the required tuition is paid.</p>

LEGAL REF: 105 ILCS 5/10-20.12b.

Students

Administrative Procedure - Establishing Student Residency

Actor	Requirements and Actions that Must Be Completed
Anyone Seeking to Enroll a Student	<p>Must present a certified or registered birth certificate for the student.</p> <p>Must present proof of residency within the District by providing the required number of documents from each of the following categories:</p> <p><u>Category I</u> (One document required)</p> <ul style="list-style-type: none"> Most recent property tax bill and proof of payment, e.g., canceled check or Form 1098 (homeowners) Mortgage papers (homeowners) Signed and dated lease and proof of last month's payment, e.g., canceled check or receipts (renters) Letter from manager and proof of last month's payment, e.g., canceled check or receipt (trailer park residents) Letter of residence from landlord in lieu of lease (7:60-AP2, E1) Letter of residence to be used when the person seeking to enroll a student is living with a District resident (7:60-AP2, E2) <p><u>Category II</u> (Two documents showing proper address are required)</p> <ul style="list-style-type: none"> Driver's license Vehicle registration Voter registration Most recent cable television and/or credit card bill Current public aid card Current homeowners/renters insurance policy and premium payment receipt Most recent gas, electric, and/or water bill Current library card Receipt for moving van rental Mail received at new residences <p><u>Military Personnel Enrolling a Student for the First Time in the District.</u></p> <p>Must provide one of the following within 60 days after the date of student's initial enrollment)</p> <ul style="list-style-type: none"> Postmarked mail addressed to military personnel Lease agreement for occupancy Proof of ownership of residence <p><u>Military Personnel Wanting to Keep Child/Ward Enrolled in the District Despite Having Changed Residence Due to a Military</u></p>

Actor	Requirements and Actions that Must Be Completed
	<p><u>Service Obligation.</u></p> <p>Upon submitting a written request, the student's residence will be deemed to be unchanged for the duration of the custodian's military service obligation. The District, however, is not responsible for the student's transportation to or from school.</p>
Anyone with a Custody Order Seeking to Enroll a Student	Presents court order, agreement, judgment, or decree that awards or gives custody of the student to any person (including divorce decrees awarding custody to one or both parents).
Non-Parent Seeking to Enroll a Student	Must complete and sign <i>Evidence of Non-Parent's Custody, Control, and Responsibility of a Student</i> form, School Board exhibit 7:60-AP2, E3.

IMPORTANT:

The School District reserves the right to evaluate the evidence presented, and merely presenting the items listed in this Procedure does not guarantee admission.

WARNING:

If a student is determined to be a nonresident of the District for whom tuition must be charged, the persons enrolling the student are liable for non-resident tuition from the date the student began attending a District school as a non-resident.

A person who knowingly enrolls or attempts to enroll in this School District on a tuition-free basis a student known by that person to be a nonresident of the District is guilty of a Class C misdemeanor, except in very limited situations as defined in State law (105 ILCS 5/10-20.12b(e)).

A person who knowingly or willfully presents to the School District any false information regarding the residency of a student for the purpose of enabling that student to attend any school in that District without the payment of a nonresident tuition charge is guilty of a Class C misdemeanor (105 ILCS 5/10-20.12b(f)).

Students

Exhibit - Letter of Residence from Landlord in Lieu of Lease

A person seeking to enroll a child may use this form as evidence of residency when a signed lease is unavailable – other documents will also be required to establish residency. Return this completed form, signed by your landlord, to the Building Principal. The School District reserves the right to evaluate the evidence presented; completing this form does not guarantee admission.

To be completed and signed by the individual enrolling the child and returned to the Principal. Please print.

Child	School	
Individual enrolling the child	Home Telephone	
Relationship to the child		
Residence street address	City	Zip code
Landlord's name	Landlord's telephone	
Landlord's address	City	Zip code
Signature of the individual enrolling the student	Date	

To be signed by your landlord to verify that you are renting this residence.

I certify that the individuals named above are living in the residence named above for the lease term of ____ / ____ / ____ through ____ / ____ / ____.

Landlord's signature	Date
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WARNING: If a student is determined to be a nonresident of the District for whom tuition must be charged, the persons enrolling the student are liable for non-resident tuition from the date the student began attending a District school as a non-resident.

A person who knowingly enrolls or attempts to enroll in this School District on a tuition-free basis a student known by that person to be a nonresident of the district is guilty of a Class C misdemeanor, except in very limited situations as defined in State law (105 ILCS 5/10-20.12b(e)).

A person who knowingly or willfully presents to the School District any false information regarding the residency of a student for the purpose of enabling that student to attend any school in that district without the payment of a nonresident tuition charge is guilty of a Class C misdemeanor (105 ILCS 5/10-20.12b(f)).

Students

Exhibit - Letter of Residence to Be Used When the Person Seeking to Enroll a Student Is Living with a District Resident

A person seeking to enroll a child should use this form as evidence of residency when he or she cannot produce a lease, purchase property agreement, or other similar document – other documents will also be required to establish residency. The School District reserves the right to evaluate the evidence presented; completing this form does not guarantee admission.

To be completed by the individual enrolling the child and returned to the Principal. Please print.

Child School

Individual enrolling the child Home Telephone

Relationship to the child

Residence street address City Zip code

Signature of the individual enrolling the student Date

To be completed and signed by the individual who is responsible for the residence. Please print.

Name of the individual who is responsible for the residence Telephone

I am responsible for this residence by ownership, lease, or other _____

Total number of: Persons living at this residence ___ Rooms in residence ___ Bedrooms ___

State the reasons for this living arrangement, including your relationship to the individual enrolling the child:

I certify that this information is true and that the individuals named above are living in my residence.

Signature of the individual who is responsible for the residence Date

WARNING: If a student is determined to be a nonresident of the District for whom tuition must be charged, the persons enrolling the student are liable for non-resident tuition from the date the student began attending a District school as a non-resident.

A person who knowingly enrolls or attempts to enroll in this School District on a tuition-free basis a student known by that person to be a nonresident of the district is guilty of a Class C misdemeanor, except in very limited situations as defined in State law (105 ILCS 5/10-20.12b(e)).

A person who knowingly or willfully presents to the School District any false information regarding the residency of a student for the purpose of enabling that student to attend any school in that district without the payment of a nonresident tuition charge is guilty of a Class C misdemeanor (105 ILCS 5/10-20.12b(f)).

Students

Exhibit - Evidence of Non-Parent's Custody, Control, and Responsibility of a Student

This form establishes a child's residency in the School District when the child is not living with a natural or adoptive parent. It must be completed by the individual who has assumed custody. Read **Important Warning** and submit this form with your signature to the Building Principal.

Student's name

District attendance building

Name of individual completing this form (*Please print*)

Relationship to child

Please check all applicable boxes:

- The child lives with me at my residence address, as stated below, and is not living with me solely for the purpose of attending the District's school.
- I have assumed and exercise full legal responsibility for and control of the child regarding daily educational and medical decisions, including responsibility for:
- medical decisions and costs food and clothing
- discipline and restitution for vandalism or other crimes school fees (books, bus, etc.)

At my residence the child regularly: (*Please explain any unchecked boxes*)

- Eats meals _____
- Sleeps _____
- Spends weekends and summers _____

Important Warning: The School District reserves the right to evaluate the evidence presented. Completing this form does not guarantee admission. If a student is determined to be a nonresident of the District for whom tuition must be charged, the persons enrolling the student are liable for non-resident tuition from the date the student began attending a District school as a non-resident.

A person who knowingly enrolls or attempts to enroll in this School District on a tuition-free basis a student known by that person to be a nonresident of the District is guilty of a Class C misdemeanor, except in very limited situations as defined in State law (105 ILCS 5/10-20.12b(e)).

A person who knowingly or willfully presents to the School District any false information regarding a student's residency to enable that student to attend any school in the District without the payment of a nonresident tuition charge is guilty of a Class C misdemeanor (105 ILCS 5/10-20.12b(f)).

Date

Signature of individual completing this form

Telephone

Address

Optional: *To be completed by the natural or adoptive parent(s), if one is available.*

Please check all applicable boxes:

- I am the natural or adoptive parent of the child.
- I have willingly transferred full custody and control of, as well as responsibility for this child to:
- _____
 The transfer of custody is not solely for the purpose of attending the District's schools.

Date

Signature of individual completing this form

Telephone

Address

Instruction

Attendance and Truancy

Compulsory School Attendance

This policy applies to individuals who have custody or control of a child: (a) between the ages of six (on or before September 1) and 17 years (unless the child has graduated from high school), or (b) who is enrolled in any of grades, kindergarten through 12, in the public school regardless of age.

Subject to specific requirements in State law, the following children are not required to attend public school: (1) any child attending a private school (including a home school) or parochial school, (2) any child who is physically or mentally unable to attend school (including a pregnant student suffering medical complications as certified by her physician), (3) any child lawfully and necessarily employed, (4) any child over 12 and under 14 years of age while in confirmation classes, (5) any child absent because his or her religion forbids secular activity on a particular day, and (6) any child 16 years of age or older who is employed and is enrolled in a graduation incentives program.

The parent/guardian of a student who is enrolled must authorize all absences from school and notify the school in advance or at the time of the student's absence. A valid cause for absence includes illness, observance of a religious holiday, death in the immediate family, family emergency, other situations beyond the control of the student, other circumstances that cause reasonable concern to the parent/guardian for the student's safety or health, or other reason as approved by the Superintendent or designee.

Absenteeism and Truancy Program

The Superintendent or designee shall manage an absenteeism and truancy program in accordance with The School Code and School Board policy. The program shall include, but not be limited to:

1. A protocol for excusing a student from attendance who is necessarily and lawfully employed. The Superintendent or designee is authorized to determine when the student's absence is justified.
2. A protocol for excusing a student in grades 6 through 8 from attendance to sound Taps at a military honors funeral held in Illinois for a deceased veteran.
3. A process to telephone, within two hours after the first class, the parents/guardians of students in grade 8 or below who are absent without prior parent/guardian notification.
4. A process to identify and track students who are truants, chronic or habitual truants, or truant minors as defined in The School Code, Section 26-2a.
5. A description of diagnostic procedures for identifying the cause(s) of a student's unexcused absenteeism, including interviews with the student, his or her

- parent(s)/guardian(s), and staff members or other people who may have information about the reasons for the student's attendance problem.
6. The identification of supportive services that may be offered to truant or chronically truant students, including parent-teacher conferences, student and/or family counseling, or information about community agency services. See Board policy 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*.
 7. A process to request the assistance and resources of outside agencies, such as, the juvenile officer of the local police department or the truant office of the appropriate Regional Office of Education, if truancy continues after supportive services have been offered.
 8. A protocol for cooperating with non-District agencies including County or municipal authorities, the Regional Superintendent, truant officers, the Community Truancy Review Board, and a comprehensive community based youth service agency. Any disclosure of school student records must be consistent with Board policy 7:340, *Student Records*, as well as State and federal law concerning school student records.
 9. An acknowledgement that no punitive action, including out-of-school suspensions, expulsions, or court action, shall be taken against a chronic truant for his or her truancy unless available supportive services and other school resources have been provided to the student.
 10. The criteria to determine whether a student's non-attendance is due to extraordinary circumstances shall include economic or medical necessity or family hardship and such other criteria that the Superintendent believes qualifies.

LEGAL REF.: 105 ILCS 5/26-1, 5/26-2a, 5/26-3b, 5/26-9, 5/26-12, 5/26-13, and 5/26-15.
Hamer v. Board of Education, 383 N.E.2d 231 (2nd Dist. 1978).

CROSS REF.: 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School), 6:150 (Home and Hospital Instruction), 7:10 (Equal Educational Opportunities), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:80 (Release Time for Religious Instruction/Observance), 7:190 (Student Behavior), 7:340 (Student Records).

Students

Release Time for Religious Instruction/Observance ¹

Religious Observance

A student shall be released from school, as an excused absence, for the purpose of observing a religious holiday. ² The parent(s)/guardian(s) must give written notice to the District 5 days before the student's anticipated absence. ³

The parent(s)/guardian(s) written notification of the student's anticipated absence shall satisfy the District's requirement for a written excuse when the student returns to school.

The Superintendent shall develop and distribute to teachers appropriate procedures regarding student absences for a religious holiday which include a list of religious holidays on which students shall be excused from attendance, how teachers are notified of a student's impending absence, and the State law requirement that teachers provide the student an equivalent opportunity to make up any examination, study, or work requirement.

⁴

Religious Instruction ⁵

A student shall be released from school for a day or portion of a day for the purpose of religious instruction. A letter, requesting the student's absence and written by the student's parent(s)/guardian(s), must be given to the Building Principal at least 5 days before the day the student is to be absent.

LEGAL REF.: Religious Freedom Restoration Act, 775 ILCS 35/5.
105 ILCS 5/26-1 and 5/26-2b.

CROSS REF.: 7:70 (Attendance and Truancy)

¹ State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content.

² 105 ILCS 5/26-1(5) requires boards to adopt a policy on student absences for religious holidays. See also 105 ILCS 5/26-2b.

³ Five days is the most prior notice that can be required (105 ILCS 5/26-1(5)).

⁴ 105 ILCS 5/26-2b.

⁵ According to the United States Supreme Court, a release time policy does not violate the Establishment Clause; it only accommodates a program of outside religious instruction. Zorach v. Clauson, 72 S.Ct. 679 (1952).

Students

Release During School Hours

Teachers may not release students from school at other than the regular dismissal times without prior approval of the Building Principal. No student will be released from school to any person other than the custodial parent(s)/guardian(s) without the written or oral permission of the custodial parent(s)/guardian(s).

School Board

Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students

Required Health Examinations and Immunizations

A student's parent(s)/guardian(s) shall present proof that the student received a health examination with proof of the immunizations against, and screenings for, preventable communicable diseases, as required by the Illinois Department of Public Health (IDPH), within one year prior to:

1. Entering kindergarten or the first grade;
2. Entering the sixth and ninth grades; and
3. Enrolling in an Illinois school, regardless of the student's grade (including nursery school, special education, Head Start programs operated by elementary or secondary schools, and students transferring into Illinois from out-of-state or out-of-country).

Proof of immunization against meningococcal disease is required for students in grades 6 and 12.

As required by State Law:

1. Health examinations must be performed by a physician licensed to practice medicine in all of its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician authorizing the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the performance of health examinations by a supervising physician.
2. A diabetes screening is a required part of each health examination; diabetes testing is not required.
3. Beginning with the 2017-18 school year, an age-appropriate developmental screening and an age-appropriate social and emotional screening are required parts of each health examination. A student will not be excluded from school due to his or her parent/guardian's failure to obtain a developmental screening or a social and emotional screening.
4. Before admission and in conjunction with required physical examinations, parents/guardians of children between the ages of one and seven years must provide a statement from a physician that their child was "risk-assessed" or screened for lead poisoning.
5. The IDPH will provide all female students entering sixth grade and their parents/guardians information about the link between human papilloma virus (HPV) and cervical cancer and the availability of the HPV vaccine.

Unless the student is homeless, failure to comply with the above requirements by October 15 of the current school year will result in the student's exclusion from school until the required health forms are presented to the District. New students who register mid-term shall have 30 days following registration to comply with the health examination and immunization regulations. If a medical reason prevents a student from receiving a required immunization by

October 15, the student must present, by October 15, an immunization schedule and a statement of the medical reasons causing the delay. The schedule and statement of medical reasons must be signed by the physician, advanced practice nurse, physician assistant, or local health department responsible for administering the immunizations.

A student transferring from out-of-state who does not have the required proof of immunizations by October 15 may attend classes only if he or she has proof that an appointment for the required vaccinations is scheduled with a party authorized to submit proof of the required vaccinations. If the required proof of vaccination is not submitted within 30 days after the student is permitted to attend classes, the student may no longer attend classes until proof of the vaccinations is properly submitted.

Eye Examination

Parents/guardians are encouraged to have their children undergo an eye examination whenever health examinations are required.

Parents/guardians of students entering kindergarten or an Illinois school for the first time shall present proof before October 15 of the current school year that the student received an eye examination within one year prior to entry of kindergarten or the school. A physician licensed to practice medicine in all of its branches or a licensed optometrist must perform the required eye examination.

If a student fails to present proof by October 15, the school may hold the student's report card until the student presents proof: (1) of a completed eye examination, or (2) that an eye examination will take place within 60 days after October 15. The Superintendent or designee shall ensure that parents/guardians are notified of this eye examination requirement in compliance with the rules of the IDPH. Schools shall not exclude a student from attending school due to failure to obtain an eye examination.

Dental Examination

All children in kindergarten and the second and sixth grades must present proof of having been examined by a licensed dentist before May 15 of the current school year in accordance with rules adopted by the Illinois Department of Public Health.

If a child in the second or sixth grade fails to present proof by May 15, the school may hold the child's report card until the child presents proof: (1) of a completed dental examination, or (2) that a dental examination will take place within 60 days after May 15. The Superintendent or designee shall ensure that parents/guardians are notified of this dental examination requirement at least 60 days before May 15 of each school year.

Exemptions

In accordance with rules adopted by the IDPH, a student will be exempted from this policy's requirements for:

1. Religious or medical grounds if the student's parents/guardians present the IDPH's Certificate of Religious Exemption form to the Superintendent or designee. When a Certificate of Religious Exemption form is presented, the Superintendent or designee shall immediately inform the parents/guardians of exclusion procedures pursuant to Board policy 7:280, *Communicable and Chronic Infectious Disease* and State rules if there is an outbreak of one or more diseases from which the student is not protected.

2. Health examination or immunization requirements on medical grounds if a physician provides written verification;
3. Eye examination requirement if the student's parents/guardians show an undue burden or lack of access to a physician licensed to practice medicine in all of its branches who provides eye examinations or a licensed optometrist; or
4. Dental examination requirement if the student's parents/guardians show an undue burden or a lack of access to a dentist.

Homeless Child

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce immunization and health records normally required for enrollment. Board policy 6:140, *Education of Homeless Children*, governs the enrollment of homeless children.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. § 11431 et seq.
105 ILCS 5/27-8.1.
410 ILCS 45/7.1 and 315/2e
77 Ill. Admin. Code Part 665
77 Ill. Admin. Code Part 690

CROSS REF.: 6:30 (Organization of Instruction), 6:140 (Education of Homeless Children), 6:180 (Extended Instructional Programs), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:280 (Communicable and Chronic Infectious Disease)

Students

Student Rights and Responsibilities

All students are entitled to enjoy the rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting. Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate District policies or rules will be subject to disciplinary measures.

Students may, during the school day, during non-instructional time, voluntarily engage in individually or collectively initiated, non-disruptive prayer or religious-based meetings that, consistent with the Free Exercise and Establishment Clauses of the U.S. and Illinois Constitutions, are not sponsored, promoted, or endorsed in any manner by the school or any school employee. Non-instructional time means time set aside by a school before actual classroom instruction begins or after actual classroom instruction ends.

LEGAL REF.: 20 U.S.C. §7904.
 105 ILCS 20/5.
 23 Ill.Admin.Code §1.210.
 Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969).

CROSS REF.: 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews),
 7:160 (Student Appearance), 7:190 (Student Discipline)

Students

Search and Seizure

In order to maintain order and security in the schools, school authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects. "School authorities" includes school liaison police officers.

School Property and Equipment as well as Personal Effects Left There by Students

School authorities may inspect and search school property and equipment owned or controlled by the school (such as lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or the consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there.

The Superintendent may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs.

Students

School authorities may search a student and/or the student's personal effects in the student's possession (such as purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there is a reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the District's student conduct rules. The search itself must be conducted in a manner that is reasonably related to its objectives and not excessively intrusive in light of the student's age and sex, and the nature of the infraction.

When feasible, the search should be conducted as follows:

1. Outside the view of others, including students;
2. In the presence of a school administrator or adult witness; and
3. By a certificated employee or liaison police officer of the same sex as the student.

Immediately following a search, a written report shall be made by the school authority who conducted the search, and given to the Superintendent.

Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or the District's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

Notification Regarding Student Accounts or Profiles on Social Networking Websites

State law requires the District to notify students and their parents/guardians that school officials may request or require a student or his or her parent/guardian to provide a password or other related account information to gain access to the student's account or profile on a social networking website. This request may be made only if there is reasonable cause to believe that the student's account contains evidence that he or she violated a school disciplinary rule or Board policy.

LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-22.6, and 5/10-22.10a.
Right to Privacy in the School Setting Act, 105 ILCS 75/.
Cornfield v. Consolidated High School Dist. No. 230, 991 F.2d 1316 (7th Cir., 1993).
People v. Dilworth, 661 N.E.2d 310 (Ill. 1996), *cert. denied*, 116 S. Ct. 1692 (1996).
People v. Pruitt, 662 N.E. 2d 540 (Ill.App.1, 1996), *app. denied*, 667 N.E. 2d 1061 (Ill.App.1, 1996).
T.L.O. v. New Jersey, 105 S.Ct. 733 (1985).
Vernonia School District 47J v. Acton, 115 S.Ct. 2386 (1995).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:150 (Agency and Police Interviews), 7:190 (Student Discipline)

Students

Administrative Procedure - Use of Metal Detectors for Student Safety

Nothing in this procedure shall limit the authority of school officials to search a student in accordance with School Board policy, 7:140, *Search and Seizure*. All property removed as a result of this procedure that may be legitimately brought onto District property will be returned to the individual. Property removed from a student, possession of which violates School Board policy, shall be confiscated and the student disciplined in accordance with the Board policy.

Students who fail to cooperate with school personnel performing their duties may be subject to discipline for insubordination. Individuals who fail to cooperate will be asked to leave District property.

Metal Detectors

Metal detectors may be used when any one of the following occurs: (1) the administration has reasonable suspicion that a weapon is in the possession of unidentified students, (2) weapons or dangerous objects were found at school, on school property, or in the vicinity of a school, or (3) violence involving weapons has occurred at a school or on school property, at school functions, or in a school's vicinity. The Building Principal shall obtain the Superintendent's permission before using a metal detector. The reasons supporting the use of a metal detector shall be documented.

Signs will be posted to inform individuals that they will be required to submit to a screening for metal as a condition of entering District property. The screening will be conducted by District staff who may be assisted by law enforcement officials.

An individual will be asked to remove metal objects from his or her person prior to use of a metal detecting device. If, after the removal of metal objects, the metal detector activates, the individual will be asked to double-check that he/she removed all metal objects on his or her person, and the metal detecting device will be used again. If the metal detector activates a second time, the individual may be subjected to a "pat-down" search.

School personnel may inspect the contents of any briefcase, knapsack, purse, or parcel that activates the metal detector for the limited purpose of determining whether a weapon is concealed therein.

Pat-Down Search

When feasible, a pat-down search should be conducted: (1) outside the view of others, including students; (2) in the presence of a school administrator or adult witness; and (3) by a certificated employee or liaison police officer of the same sex as the student.

A "pat-down" search conducted by school personnel shall be limited to clothing for the purpose of discovering items that may have activated the metal detecting device.

If school personnel conducting a "pat-down" search feels an object that may have activated the metal detecting device or may be other prohibited contraband, the individual will be asked to remove it.

Immediately following a pat-down search, a written report shall be made by the school authority who conducted the pat-down search, and given to the Superintendent.

Students

Agency and Police Interviews ¹

All requests by agency or police officials to interview a student shall be handled according to procedures developed by the Superintendent.

LEGAL REF.: 325 ILCS 5/1 et seq.
705 ILCS 80/1 et seq.

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure),
7:190 (Student Discipline)

¹ State or federal law controls this policy's content.

Students

Administrative Procedure - Agency and Police Interviews

Interviews by Police

1. The Building Principal will check the police officer's credentials and any legal papers such as warrants for arrest, search warrants, or subpoenas to be served.
2. The Building Principal will attempt to contact the student's parent(s)/guardian(s) if possible, and inform them that the student is subject to an interview. In extreme emergency situations, DCFS employees, law enforcement personnel, or treating physicians may, in effecting temporary protective custody, request that the District not notify parents until the child's safety is ensured. The Building Principal should ask that such a request be put in writing. The parent(s)/guardian(s) will be given the opportunity to be present and be represented by legal counsel at their own expense. Interviews of minor students without permission of the parent(s)/guardian(s) is not permitted unless a legal process is presented or in emergency situations.
3. Interviews will be conducted in a private setting. If the parent(s)/guardian(s) are absent, the Building Principal or qualified designee will be present during the interview.
4. Interview proceedings will be documented in writing for inclusion in the student's temporary records.
5. No minor student shall be removed from the school by the police officer without the consent of a parent(s)/guardian(s), except upon service of a valid warrant of arrest or in cases of warrantless temporary protective custody.

Interviews by the Illinois Department of Children and Family Services (DCFS)

1. The Building Principal will check the agent's credentials and any papers pertaining to a legal process.
2. The Building Principal will attempt to contact the student's parent(s)/guardian(s) and inform them that the student is subject to an interview, if appropriate.
3. If the DCFS agent does not want a parent(s)/guardian(s) present or notified during the interview, this stipulation must be in writing and signed by the DCFS agent.
4. Interviews will be conducted in a private setting. If the parent(s)/guardian(s) are absent, the Building Principal or qualified designee will be present during the interview.
5. The student may be removed from school by the DCFS agent if case circumstances warrant. A local law enforcement agency officer, designated DCFS employee, or a physician treating a child may take or retain temporary protective custody of the child without the consent of the person responsible for the child's welfare, if: (1) he or she has reason to believe that the child's circumstances or conditions are such that continuing in his or her place of residence or in the care and custody of the person responsible for the child's welfare, presents an imminent danger to that child's life or health; (2) the person responsible for the child's welfare is unavailable or has been asked and does not consent to the child's removal from his or her custody; and (3)

there is not time to apply for a court order under the Juvenile Court Act for temporary custody of the child. The person taking or retaining a child in temporary protective custody shall immediately make every reasonable effort to notify the person responsible for the child's welfare and shall immediately notify the Department.

6. No District employee may act as a DCFS agent.

LEGAL REF.: 325 ILCS 5/1 et seq.
 705 ILCS 80/1 et seq.

Students

Student Appearance

A student's appearance, including dress and grooming, must not disrupt the educational process, interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency. Procedures for handling students who dress or groom inappropriately will be developed by the Superintendent and included in the *Student Handbook(s)*.

LEGAL REF.: 105 ILCS 5/10-22.25b.
Tinker v. Des Moines Independent School Dist., 89 S.Ct. 733 (1969).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:165 (School Uniform),
7:190 (Student Behavior)

Students

Vandalism

The Board will seek restitution from students and their parents/guardians for vandalism or other student acts that cause damage to school property.

LEGAL REF.: 740 ILCS 115/1 et seq.

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline)

Students

Preventing of and Response to Bullying, Intimidation, and Harassment

Bullying, intimidation, and harassment diminish a student's ability to learn and a school's ability to educate. Preventing students from engaging in these disruptive behaviors and providing all students equal access to a safe, non-hostile learning environment are important District goals.

Bullying on the basis of actual or perceived race, color, national origin, military status, unfavorable discharge status from the military service, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, order of protection status, status of being homeless, or actual or potential marital or parental status, including pregnancy, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic **is prohibited** in each of the following situations:

1. During any school-sponsored education program or activity.
2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities.
3. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.
4. Through the transmission of information from a computer that is accessed at a nonschool-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by the School District or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This paragraph (item #4) applies only when a school administrator or teacher receives a report that bullying through this means has occurred; it does not require staff members to monitor any nonschool-related activity, function, or program.

Definitions from Section 27-23.7 of the School Code (105 ILCS 5/27-23.7)

Bullying includes *cyber-bullying* and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing the student or students in reasonable fear of harm to the student's or students' person or property;
2. Causing a substantially detrimental effect on the student's or students' physical or mental health;
3. Substantially interfering with the student's or students' academic performance; or
4. Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Cyber-bullying means bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including without limitation electronic mail, Internet communications,

instant messages, or facsimile communications. *Cyber-bullying* includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of *bullying*. *Cyber-bullying* also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of *bullying*.

Restorative measures means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, schools, and communities, and (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school.

School personnel means persons employed by, on contract with, or who volunteer in a school district, including without limitation school and school district administrators, teachers, school guidance counselors, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards.

Bullying Prevention and Response Plan

The Superintendent or designee shall develop and maintain a bullying prevention and response plan that advances the District's goal of providing all students with a safe learning environment free of bullying and harassment. This plan must be consistent with the requirements listed below; each numbered requirement, 1-12, corresponds with the same number in the list of required policy components in 105 ILCS 5/27-23.7(b) 1-12.

1. The District uses the definition of *bullying* as provided in this policy.
2. Bullying is contrary to State law and the policy of this District. However, nothing in the District's bullying prevention and response plan is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the U.S. Constitution or under Section 3 of Article I of the Illinois Constitution.
3. Students are encouraged to immediately report bullying. A report may be made orally or in writing to the District Complaint Manager or any staff member with whom the student is comfortable speaking. Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to the District Complaint Manager or any staff member. Anonymous reports are also accepted.

Complaint Manager:

Superintendent or designee

Name

500 North Ave, Winthrop Harbor, IL 60096

Address

pgoodwin@whsd1.org

Email

(847) 731-3085

Telephone

4. Consistent with federal and State laws and rules governing student privacy rights, the Superintendent or designee shall promptly inform the parent(s)/guardian(s) of every student involved in an alleged incident of bullying and discuss, as appropriate, the availability of social work services, counseling, school psychological services, other interventions, and restorative measures.
5. The Superintendent or designee shall promptly investigate and address reports of bullying, by, among other things:
 - a. Making all reasonable efforts to complete the investigation within 10 school days after the date the report of a bullying incident was received and taking into consideration additional relevant information received during the course of the investigation about the reported bullying incident.
 - b. Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.
 - c. Notifying the Building Principal or school administrator or designee of the reported incident of bullying as soon as possible after the report is received.
 - d. Consistent with federal and State laws and rules governing student privacy rights, providing parents/guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the Building Principal or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.

The Superintendent or designee shall investigate whether a reported incident of bullying is within the permissible scope of the District's jurisdiction and shall require that the District provide the victim with information regarding services that are available within the District and community, such as counseling, support services, and other programs.

6. The Superintendent or designee shall use interventions to address bullying, that may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.
7. A reprisal or retaliation against any person who reports an act of bullying **is prohibited**. A student's act of reprisal or retaliation will be treated as *bullying* for purposes of determining any consequences or other appropriate remedial actions.
8. A student will not be punished for reporting bullying or supplying information, even if the District's investigation concludes that no bullying occurred. However, knowingly making a false accusation or providing knowingly false information will be treated as *bullying* for purposes of determining any consequences or other appropriate remedial actions.
9. The District's bullying prevention and response plan must be based on the engagement of a range of school stakeholders, including students and parents/guardians.
10. The Superintendent or designee shall post this policy on the District's Internet website, if any, and include it in the student handbook, and, where applicable, post it where other policies, rules, and standards of conduct are currently posted. The policy must also be distributed

annually to parents/guardians, students, and school personnel, including new employees when hired.

11. The Superintendent or designee shall assist the Board with its evaluation and assessment of this policy's outcomes and effectiveness. This process shall include, without limitation:
 - a. The frequency of victimization;
 - b. Student, staff, and family observations of safety at a school;
 - c. Identification of areas of a school where bullying occurs;
 - d. The types of bullying utilized; and
 - e. Bystander intervention or participation.

The evaluation process may use relevant data and information that the District already collects for other purposes. The Superintendent or designee must post the information developed as a result of the policy evaluation on the District's website, or if a website is not available, the information must be provided to school administrators, Board members, school personnel, parents/guardians, and students.

12. The Superintendent or designee shall fully implement the Board policies, including without limitation, the following:
 - a. 2:260, *Uniform Grievance Procedure*. A student may use this policy to complain about bullying.
 - b. 6:60, *Curriculum Content*. Bullying prevention and character instruction is provided in all grades in accordance with State law.
 - c. 6:65, *Student Social and Emotional Development*. Student social and emotional development is incorporated into the District's educational program as required by State law.
 - d. 6:235, *Access to Electronic Networks*. This policy states that the use of the District's electronic networks is limited to: (1) support of education and/or research, or (2) a legitimate business use.
 - e. 7:20, *Harassment of Students Prohibited*. This policy prohibits *any* person from harassing, intimidating, or bullying a student based on an identified actual or perceived characteristic (the list of characteristics in 7:20 is the same as the list in this policy).
 - f. 7:185, *Teen Dating Violence Prohibited*. This policy prohibits teen dating violence on school property, at school sponsored activities, and in vehicles used for school-provided transportation.
 - g. 7:190, *Student Discipline*. This policy prohibits, and provides consequences for, hazing, bullying, or other aggressive behaviors, or urging other students to engage in such conduct.
 - h. 7:310, *Restrictions on Publications*. This policy prohibits students from and provides consequences for: (1) accessing and/or distributing at school any written, printed, or electronic material, including material from the Internet, that will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities, and (2) creating and/or distributing written, printed, or electronic material, including photographic material and blogs, that causes substantial disruption to school operations or interferes with the rights of other students or staff members.

LEGAL REF.: 405 ILCS 49/, Children's Mental Health Act.
105 ILCS 5/10-20.14, 5/24-24, and 5/27-23.7.
23 Ill.Admin.Code §§1.240 and §1.280.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 4:170 (Safety), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Discipline), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:285 (Food Allergy Management Program), 7:310 (Restrictions on Publications)

Students

Teen Dating Violence Prohibited

Engaging in teen dating violence that takes place at school, on school property, at school-sponsored activities, or in vehicles used for school-provided transportation is prohibited. For purposes of this policy, the term *teen dating violence* occurs whenever a student who is 13 to 19 years of age uses or threatens to use physical, mental, or emotional abuse to control an individual in the dating relationship; or uses or threatens to use sexual violence in the dating relationship.

The Superintendent or designee shall develop and maintain a program to respond to incidents of teen dating violence that:

1. Fully implements and enforces each of the following Board policies:
 - a. 7:20, *Harassment of Students Prohibited*. This policy prohibits any person from harassing, intimidating, or bullying a student based on the student's actual or perceived characteristics of sex; sexual orientation; gender identity; and gender-related identity or expression (this policy includes more protected statuses).
 - b. 7:180, *Preventing Bullying, Intimidation, and Harassment*. This policy prohibits students from engaging in bullying, intimidation, and harassment at school, school-related events and electronically. Prohibited conduct includes threats, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.
2. Encourages anyone with information about incidents of teen dating violence to report them to any of the following individuals:
 - a. Any school staff member. School staff shall respond to incidents of teen dating violence by following the District's established procedures for the prevention, identification, investigation, and response to bullying and school violence.
 - b. The Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager identified in policy 7:20, *Harassment of Students Prohibited*.
3. Incorporates age-appropriate instruction in grades 7 through 12, in accordance with the District's comprehensive health education program in Board policy 6:60, *Curriculum Content*. This includes incorporating student social and emotional development into the District's educational program as required by State law and in alignment with Board policy 6:65, *Student Social and Emotional Development*.
4. Incorporates education for school staff, as recommended by the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager.
5. Notifies students and parents/guardians of this policy.

Incorporated
by Reference: 7:180-AP1, (Prevention, Identification, Investigation, and Response to
Bullying and School Violence)

LEGAL REF.: 105 ILCS 110/3.10.

CROSS REF.: 2:240 (Board Policy Development), 5:100 (Staff Development), 5:230
(Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student
Social and Emotional Development), 7:20 (Harassment of Students
Prohibited), 7:180 (Preventing Bullying, Intimidation, and Harassment),
7:185 (Teen Dating Violence Prohibited), 7:190 (Student Discipline),
7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities),
7:240 (Conduct Code for Participants in Extracurricular Activities)

Students

Student Behavior

The goals and objectives of this policy are to provide effective discipline practices that: (1) ensure the safety and dignity of students and staff; (2) maintain a positive, weapons-free, and drug-free learning environment; (3) keep school property and the property of others secure; (4) address the causes of a student's misbehavior and provide opportunities for all individuals involved in an incident to participate in its resolution; and (5) teach students positive behavioral skills to become independent, self-disciplined citizens in the school community and society.

When and Where Conduct Rules Apply

A student is subject to disciplinary action for engaging in *prohibited student conduct*, as described in the section with that name below, 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.

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 or nicotine materials, including without limitation, electronic cigarettes.
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, selling, or offering for sale:
 - a. Any illegal drug or controlled substance, or cannabis (including medical cannabis, marijuana, and hashish).
 - b. Any anabolic steroid unless it is 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. The use or possession of medical cannabis, even by a student for whom medical cannabis has been prescribed, is prohibited.

- 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. Any substance inhaled, injected, smoked, consumed, or otherwise ingested or absorbed with the intention of causing a physiological or psychological change in the body, including without limitation, pure caffeine in tablet or powdered form.
- g. "Look-alike" or counterfeit drugs, including a substance that is not prohibited by this policy, but one: (a) that a student believes to be, or represents to be, an illegal drug, controlled substance, or other substance that is prohibited by this policy; 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, controlled substance, or other substance that is prohibited by this policy.
- h. 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" as that term is defined in the Weapons section of this policy, or violating 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); (c) it is used during the student's lunch period, or (d) 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, altering report cards, 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. Engaging in any sexual activity, including without limitation, offensive touching, sexual harassment, indecent exposure (including mooning), and sexual assault. This does not include the non-disruptive: (a) expression of gender or sexual orientation or preference, or (b) display of affection during non-instructional time.
11. Teen dating violence, as described in Board policy 7:185, *Teen Dating Violence Prohibited*.
12. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.
13. Entering school property or a school facility without proper authorization.
14. In the absence of a reasonable belief that an emergency exists, calling emergency responders (such as calling 911); signaling or setting off alarms or signals indicating the presence of an emergency; or indicating the presence of a bomb or explosive device on school grounds, school bus, or at any school activity.
15. Being absent without a recognized excuse; State law and School Board policy regarding truancy control will be used with chronic and habitual truants.
16. 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.
17. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia.
18. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, vandalism, and hazing.
19. Making an explicit threat on an Internet website against a school employee, a student, or any school-related personnel if the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school.
20. Operating an unmanned aircraft system (UAS) or drone for any purpose on school grounds or at any school event unless granted permission by the Superintendent or designee.
21. 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 positive interventions and supports, 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.

Disciplinary Measures

School officials shall limit the number and duration of expulsions and out-of-school suspensions to the greatest extent practicable, and, where practicable and reasonable, shall consider forms of non-exclusionary discipline before using out-of-school suspensions or expulsions. School personnel shall not advise or encourage students to drop out voluntarily due to behavioral or academic difficulties. Potential disciplinary measures include, without limitation, any of the following:

1. Notifying parent(s)/guardian(s).
2. Disciplinary conference.
3. Withholding of privileges.
4. Temporary removal from the classroom.
5. Return of property or restitution for lost, stolen, or damaged property.
6. In-school suspension. The Building Principal or designee shall ensure that the student is properly supervised.
7. 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.
8. 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.
9. Seizure of contraband; confiscation and temporary retention of personal property that was used to violate this policy or school disciplinary rules.
10. Suspension of bus riding privileges in accordance with Board policy 7:220, *Bus Conduct*.

11. Out-of-school suspension from school and all school activities in accordance with Board policy 7:200, *Suspension Procedures*. A student who has been suspended may also be restricted from being on school grounds and at school activities.
12. Expulsion from school and all school activities for a definite time period not to exceed 2 calendar years in accordance with Board policy 7:210, *Expulsion Procedures*. A student who has been expelled may also be restricted from being on school grounds and at school activities.
13. Transfer to an alternative program if the student is expelled or otherwise qualifies for the transfer under State law. The transfer shall be in the manner provided in Article 13A or 13B of the School Code.
14. Notifying juvenile authorities or other law enforcement whenever the conduct involves criminal activity, including but not limited to, illegal drugs (controlled substances), “look-alikes,” alcohol, or weapons or in other circumstances as authorized by the reciprocal reporting agreement between the District and local law enforcement agencies.

The above list of disciplinary measures is a range of options that will not always be applicable in every case. In some circumstances, it may not be possible to avoid suspending or expelling a student because behavioral interventions, other than a suspension and expulsion, will not be appropriate and available, and the only reasonable and practical way to resolve the threat and/or address the disruption is a suspension or expulsion.

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 is determined to have brought one of the following objects to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of at least one calendar year but not more than two calendar years:

1. A firearm, meaning any gun, rifle, shotgun, or weapon as defined by Section 921 of Title 18 of the United States Code (18 U.S.C. § 921), firearm as defined in Section 1.1 of the Firearm Owners Identification Card Act (430 ILCS 65/), or firearm as defined in Section 24-1 of the Criminal Code of 1961 (720 ILCS 5/24-1).
2. A knife, brass knuckles, or other knuckle weapon regardless of its composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including “look-alikes” of any firearm as defined above.

The expulsion requirement under either paragraph one or two above may be modified by the Superintendent, and the Superintendent’s determination may be modified by the Board on a case-by-case basis. 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.

This policy’s prohibitions concerning weapons apply regardless of whether: (1) a student is licensed to carry a concealed firearm, or (2) the Board permits visitors, who are licensed to carry a concealed firearm, to store a firearm in a locked vehicle in a school parking area.

Re-Engagement of Returning Students

The Superintendent or designee shall maintain a process to facilitate the re-engagement of students who are returning from an out-of-school suspension, expulsion, or an alternative school setting. The goal of re-engagement shall be to support the student's ability to be successful in school following a period of exclusionary discipline and shall include the opportunity for students who have been suspended to complete or make up work for equivalent academic credit.

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 [licensed] 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, Assistant Building Principal, or Dean of Students 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 ten consecutive school days, provided the appropriate procedures are followed. The Board may suspend a student from riding the bus in excess of ten 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.
410 ILCS 130/, Compassionate Use of Medical Cannabis Pilot Program.
410 ILCS 647/, Powdered Caffeine Control and Education Act.
430 ILCS 66/, Firearm Concealed Carry Act.
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, 5/31-3, and
110/3.10.
23 Ill.Admin.Code §1.280.
- CROSS REF.: 2:150 (Committees), 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 (Prevention of and Response to Bullying,
Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 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; Elementary Schools), 8:30
(Visitors to and Conduct on School Property)

Students

Student Handbook - Hazing Prohibited

Soliciting, encouraging, aiding, or engaging in hazing, no matter when or where it occurs, is prohibited. "Hazing" means any intentional, knowing, or reckless act directed against a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any group, organization, club, or athletic team whose members are or include other students.

Students engaging in hazing will be subject to one or more of the following disciplinary actions:

1. Removal from the extracurricular activities,
2. Conference with parents/guardians, and/or
3. Referral to appropriate law enforcement agency.

Students engaging in hazing that endangers the mental or physical health or safety of another person may also be subject to:

1. Suspension for up to 10 days, and/or
Expulsion for the remainder of the school term.

Students

Student Handbook - Gang Activity Prohibited

Students are prohibited from engaging in gang activity. A “gang” is any group of 2 or more persons whose purpose includes the commission of illegal acts.

No student shall engage in any gang activity, including but not limited to:

1. Wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that are evidence of membership or affiliation in any gang,
2. Committing any act or omission, or using any speech, either verbal or non-verbal (such as gestures or hand-shakes) showing membership or affiliation in a gang, and
3. Using any speech or committing any act or omission in furtherance of any gang or gang activity, including but not limited to: (a) soliciting others for membership in any gangs, (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other violation of school district policies, (d) inciting other students to act with physical violence upon any other person.

Students engaging in any gang-related activity will be subject to one or more of the following disciplinary actions:

- Removal from extracurricular and athletic activities
- Conference with parent(s)/guardian(s)
- Referral to appropriate law enforcement agency
- Suspension for up to 10 days
- Expulsion not to exceed 2 calendar years

Students

Administrative Procedure - Guidelines for Reciprocal Reporting of Criminal Offenses Committed by Students

1. The Building Principal and/or the Police Department School Liaison Officer will arrange meetings as needed between school officials and individuals representing law enforcement to share information.
2. The Building Principal and the Police Department School Liaison Officer will share information regarding the arrest of a student who is less than 17 years of age and is enrolled in the Building Principal's school when the arrest was for any offense classified as a felony or a Class A or B misdemeanor.
 - a. The reporter should identify the student by name and describe the circumstances of the alleged criminal activity. Local law enforcement officials must certify in writing that the information received from the school will not be disclosed to any other party except as provided by State law without the prior written consent of the student's parent/guardian.
 - b. The report should be made as soon as possible after the Liaison Officer or Building Principal reasonably suspects that a student is involved in such activity.
 - c. The Building Principal's duty to report such activity arises only when the activity occurs on school property or off school grounds at a school-related function.
3. The State's Attorney shall provide to the Building Principal a copy of any delinquency dispositional order concerning any student regardless of age where the crime would be a felony if committed by an adult, or was a Class A misdemeanor in violation of Section 24-1, 24-3, 24-3.1, or 24.5 of the Criminal Code (weapon offenses).
4. Local law enforcement shall provide a copy of all arrest records, and the State's Attorney shall provide a copy of all conviction records, to the Building Principal if the record involves a student who is arrested or taken into custody *after* his or her 17th birthday.
5. Local law enforcement and the State's Attorney may share or disclose information or records relating or pertaining to juveniles subject to the provisions of the Serious Habitual Offender Comprehensive Action Program when that information is used to assist in the early identification and treatment of habitual juvenile offenders.

LEGAL REF.: 105 ILCS 5/10-20.14.
705 ILCS 405/1-7, 1-8(F), 1-8(G), and 5-905.

CROSS REF.: 2:150 (Committees), 7:150 (Agency and Police Interviews)

Students

Administrative Procedure - Use of Isolated Time Out and Physical Restraint

This administrative procedure applies to all students. Isolated time out and physical restraint shall be used only as a means of maintaining discipline in schools, that is, as a means of maintaining a safe and orderly environment for learning and only to the extent that they are necessary to preserve the safety of students and others. Neither isolated time out nor physical restraint shall be used in administering discipline to individual students, i.e., as a form of punishment. The use of isolated time out and physical restraint by any staff member shall comply with the Illinois State of Education rules, Section 1.285, "Requirements for the Use of Isolated Time Out and Physical Restraint." Isolated time out and physical restraint are defined as follows:

Isolated time out - the confinement of a student in a time-out room or some other enclosure, whether within or outside the classroom, from which the student's egress is restricted.

Physical restraint - holding a student or otherwise restricting his or her movements. Restraint does not include momentary periods of physical restriction by direct person-to-person contact, without the aid of material or mechanical devices, accomplished with limited force and designed to: (1) prevent a student from completing an act that would result in potential physical harm to himself, herself, or another or damage to property; or (2) remove a disruptive student who is unwilling to leave the area voluntarily.

The following also apply:

1. The circumstances under which isolated time out or physical restraint will be applied are limited to maintaining a safe and orderly learning environment. §1.280(c)(1).
2. The ISBE rules are adopted as the District's written procedure to be followed by staff for the use of isolated time out or physical restraint. §1.280(c)(2).
3. Staff members shall inform the Building Principal whenever isolated time out or physical restraint is used and the Building Principal shall maintain the documentation required according to Section 1.285. §1.280(c)(3).
4. The Building Principal shall investigate and evaluate any incident that results in a serious injury as reported by the affected student, parent/guardian, staff member, or other individual. §1.280(c)(4).
5. The Building Principal shall compile a description of alternative strategies that will be implemented when determined advisable pursuant to Section 1.285(f)(4). §1.280(c)(5).
6. The Superintendent or designee shall compile an annual review of the use of isolated time out or physical restraint. The Building Principal shall report the following information to the Superintendent in order to facilitate the report's compilation: §1.280(c)(6).
 - a. The number of incidents involving the use of these interventions;
 - b. The location and duration of each incident;

- c. Identification of the staff members who were involved;
- d. Any injuries or property damage that occurred; and
- e. The timeliness of parental notification and administrative review.

LEGAL REF.: 105 ILCS 5/10-20.31.
23 Ill.Admin.Code §§1.280 and 1.285.

Students

Student Handbook - Electronic Devices

Electronic Signaling Devices

Students may not use or possess electronic signaling (paging) devices or two-way radios on school property at any time, unless the Building Principal specifically grants permission.

Cell Phones and Other Electronic Devices

The possession and use of cell phones and other electronic devices, other than paging devices and two-way radios, are subject to the following rules:

1. They must be kept out of sight and in an inconspicuous location, such as a backpack, purse, or locker.
2. They must be turned **off** during the regular school day unless the supervising teacher grants permission for them to be used or if needed during an emergency.
3. They may not be used in any manner that will cause disruption to the educational environment or will otherwise violate student conduct rules.

Electronic study aids may be used during the school day if:

1. Use of the device is provided in the student's IEP, or
2. Permission is received from the student's teacher.

Examples of electronic devices that are used as study aids include tape recorders, palm pilots, and laptop computers.

Examples of electronic devices that are **not** used as study aids include: hand-held electronic games, CD players, MP3 players, global positioning systems (GPS), radios, and cellular telephones.

The School District is not responsible for the loss or theft of any electronic device brought to school.

Students

Exhibit - Aggressive Behavior Reporting Letter and Form

Dear Parent(s)/Guardian(s):

Illinois law requires a school district to notify the parent or guardian of a child who engages in aggressive behavior, including such behaviors as bullying (105 ILCS 5/10-20.14). The School Board policy prohibits a student while at school from engaging in aggressive behavior that causes physical or psychological harm to someone else and/or urging other students to engage in such conduct. Prohibited aggressive behavior includes, without limitation, the use of violence, force, noise, coercion, threats, intimidation, fear, bullying, or other comparable conduct. This early notification is intended to help all of us work together to avoid repetition of the behavior.

Student _____ Incident date _____
Incident location _____ Incident time _____
Reported by _____ Reporting date _____

Aggressive behavior description: *(Reporters, be specific. List all pertinent information regarding the incident including: names of all parties present and involved, weapons or objects used as weapons, pertinent and/or precipitating acts or statements, description of injuries sustained and names of injured parties, etc.)*

The following consequence(s) is/are recommended:

- I will telephone you to schedule an in-person meeting or telephone conference to discuss the necessary next steps.
- Counseling service _____
- Non-District affiliated psychological service _____
- Alternative school assignment _____
- Community agency service _____

Together, I am confident we can help your child understand that aggressive behavior is not allowed at school.

Building Principal

Date

Students

Exhibit - Student Handbook Checklist

The following checklist contains mandatory notices and recommended notices that schools should give to their students and the students' parents/guardians. ¹ *Mandatory* means that the notices are legally required. *Recommended* means that the notices are not required but to reduce liability, should be included in a handbook. The checklist is in the IASB Policy Reference Manual format and lists corresponding policies, procedures, and exhibits in numerical order within each sub-headed category. It is a resource to assist administrators in creating a student handbook. Any handbook should be reviewed by the board attorney before distribution to ensure that all mandatory notices are included as this checklist is subject to change without notice. This checklist is not a substitute for legal advice.

Mandatory Notices

Student Services

	Mandatory Topics	IASB Policy and Procedure Code
	Transportation policies	4:110, <i>Transportation</i>
	Transportation reimbursement eligibility and dispute resolution	4:110, <i>Transportation</i>
	Any changes in the eligibility criteria for free and reduced lunch. 7 C.F.R. §245.5(b)	4:130, <i>Free and Reduced-Price Food Services</i>
	Policy and procedures for waiver of school fees along with the fee waiver application form	4:140, <i>Waiver of Student Fees</i> 4:140-AP, <i>Fines, Fees, and Charges – Waiver of Student Fees</i> 4:140-E1, <i>Application for Fee Waiver</i> 4:140-E2, <i>Response to Application for Fee Waiver, Appeal, and Response to Appeal</i>
	Alternative learning opportunities, description and identity of a staff member to contact	6:110, <i>Programs for Students at Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program</i>
	Notification to parents/guardians of English Language Learners regarding their child's placement in, and	6:160, <i>English Language Learners</i>

¹ In its continuing commitment to help school districts comply with legal requirements for all policies and procedures, the Illinois Principals Association (IPA) in conjunction with the Illinois Association of School Boards' (IASB) PRESS, have prepared this checklist to assist school administrators in preparing their student handbooks. A special thank you also goes to the law firm of Hodges, Loizzi, Eisenhammer, Rodick and Kohn for allowing IPA and IASB to cross check this *Student Handbook Checklist* against its annual version.

	Mandatory Topics	IASB Policy and Procedure Code
	information about, the District's English Language Learners programs	
	Parental Involvement Policies and Activities under Title I (only when the district receives Title I funds)	6:170, <i>Title 1 Programs</i>
	Notice to Parents Required by No Child Left Behind Act of 2001	6:170-AP2, <i>Notice to Parents Required by No Child Left Behind Act of 2001</i>
	Surveys that request personal information from students	7:15, <i>Student and Family Privacy Rights</i>
	Birth certificate requirements for enrollment	7:50, <i>School Admissions and Student Transfers To and From Non-District Schools</i>
	Administration of medications to students (includes asthma inhalers and epinephrine auto-injectors; and notice to be provided to parents and students within 15 days of the beginning of the school year or within 15 days after student transfers to district)	7:270, <i>Administering Medicines to Students</i> 7:270-AP, <i>Dispensing Medication</i> 7:270-E, <i>School Medication Authorization Form</i>

Student Programs

	Mandatory Topics	IASB Policy and Procedure Code
	Notice of instruction in recognizing and avoiding sexual abuse (if applicable, K-8 only)	6:60-AP, <i>Comprehensive Health Education Program</i> 6:60-E, <i>Notice to Parents/Guardians of Students Enrolled in Family Life and Sex Education Classes</i>
	Provision of free appropriate public education to students with disabilities	6:120, <i>Education of Children with Disabilities</i> 6:120-AP, <i>Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities</i> (downloadable from IASB website, www.iasb.com)
	Identification, assessment, and provision of special education services to eligible children not enrolled in the District	6:120, <i>Education of Children with Disabilities</i> 6:120-AP, <i>Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities</i> (downloadable from IASB website, www.iasb.com)

Student Responsibilities

	Mandatory Topics	IASB Policy and Procedure Code
	Absenteeism and truancy	7:70, <i>Attendance and Truancy</i>
	Statement of district ownership of and right to search student lockers	7:140, <i>Search and Seizure</i>
	Search procedures for school grounds and lockers	7:140, <i>Search and Seizure</i>
	Bullying prohibited	7:180, <i>Preventing Bullying, Intimidation, and Harassment</i>
	Prohibition of electronic paging devices, seizure of devices	7:190, <i>Student Discipline</i>
	Controlled substances	7:190, <i>Student Discipline</i>
	Firearms and other weapons	7:190, <i>Student Discipline</i>
	Gangs and gang-related activity	7:190-AP2, <i>Student Handbook - Gang Activity Prohibited</i>
	Inform parents/guardians when their child or ward engaged in aggressive behavior along with the school's early intervention procedures	7:190-E1, <i>Aggressive Behavior Reporting Letter and Form</i>
	Suspension and expulsion procedures, with due process requirements	7:200, <i>Suspension Procedures</i> 7:210, <i>Expulsion Procedures</i>
	School bus safety procedures	7:220, <i>Bus Conduct</i> 4:170-AP3, <i>School Bus Safety Rules</i>
	Videotape surveillance policies for buses (if applicable)	7:220, <i>Bus Conduct</i> 7:220-AP, <i>Electronic Recordings on School Buses</i>
	Behavior interventions guidelines, policies and procedures (these may be developed through the Spec. Ed. Coop if the district belongs to one)	7:230, <i>Misconduct by Students With Disabilities</i>
	Dress code - school building specific	7:160, <i>Student Appearance</i>

	Mandatory Topics	IASB Policy and Procedure Code
	Co-curricular and athletic codes of conduct (if applicable) school building specific	7:240, <i>Conduct Code for Participants in Extracurricular Activities</i> 7:240-AP, <i>Code of Conduct for Extracurricular Activities</i>
	All other conduct prohibited by Board policy - school discipline code	7:190, <i>Student Discipline</i>

Student Rights

	Mandatory Topics	IASB Policy and Procedure Code
	Notice of non-discrimination coordinator(s) and procedures for raising complaints of discrimination and sexual harassment	2:260, <i>Uniform Grievance Procedure</i>
	Policy against discrimination on the basis of race, color, national origin, sex, sexual orientation, ancestry, age, religious beliefs, physical or mental disability, status as homeless, or actual or potential marital or parental status, including pregnancy	7:10, <i>Equal Educational Opportunities</i>
	Sex equity policy and grievance procedures	7:10, <i>Equal Educational Opportunities</i> 2:260, <i>Uniform Grievance Procedure</i>
	Sexual harassment policy and grievance procedures	7:20, <i>Harassment of Students Prohibited</i> 2:260, <i>Uniform Grievance Procedure</i>
	Notice to parents of their right to request their child's classroom teachers' qualifications	5:190-E1, <i>Notice of Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications</i>
	Information regarding the educational rights of homeless students in the location where homeless children receive services (such as, schools, family shelters, and soup kitchens)	6:140, <i>Education of Homeless Children</i> 6:140-AP, <i>Education of Homeless Children</i>
	Notice of parent and student rights under the Children's Privacy Protection and Parental Empowerment Act	7:15, <i>Student and Family Privacy Rights</i> 7:15-E, <i>Notification to Parents of Family Privacy Rights</i>
	Notice of parent and student rights under the Illinois School Student Records Act and the Family	7:340, <i>Student Records</i> 7:340-E1, <i>Notice to Parents/Guardians and Student of Rights Concerning a Student's</i>

	Mandatory Topics	IASB Policy and Procedure Code
	Educational Rights and Privacy Act	<i>School Records</i> 7:340-E2, <i>Using a Photograph or Video Recording of a Student</i>
	Disclosure of directory information	7:340-E1, <i>Notice to Parents/Guardians and Student of Rights Concerning a Student's School Records</i> 7:340-E2, <i>Using a Photograph or Video Recording of a Student</i>
	Categories of information classified as directory information	7:340-E1, <i>Notice to Parents/Guardians and Student of Rights Concerning a Student's School Records</i>
	Procedures and timeframe for objecting to disclosure of information	7:340-E1, <i>Notice to Parents/Guardians and Student of Rights Concerning a Student's School Records</i>
	Military recruiting	7:340-E3, <i>Letter to Parents Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information</i> 7:340-E4, <i>Frequently Asked Questions Regarding Military Recruiter Access to Students and Student Information</i>
	Student biometric information (when applicable)	7:340, <i>Student Records</i> 7:340-E5, <i>Biometric Information Collection Authorization</i>
	Notice of disability accommodation	8:70, <i>Accommodating Individuals with Disabilities</i>

General Information

	Mandatory Topics	IASB Policy and Procedure Code
	Notice to students and their parents/guardians and employees in a school building, at least 2 business days before a pesticide application in or on school buildings or grounds occurs	4:160-AP, <i>Hazardous and Infectious Materials</i>
	Building principals shall inform parents/guardians about the availability of information concerning sex offenders during school registration	4:170-AP2, <i>Criminal Offender Notification Laws</i> 4:170-E6, <i>Informing Parents About Offender Community Notification Laws</i>

	Mandatory Topics	IASB Policy and Procedure Code
	and, if feasible, during parent-teacher conference as required by Sex Offender Community Notification Law	
	School bus safety procedures	4:170-AP3, <i>School Bus Safety Rules</i>
	School visitation rights notice	8:95-E1, <i>Letter Notifying Parents/Guardians of School Visitation Rights</i> 8:95-E2, <i>Verification of School Visitation</i>
	Statement that the handbook is only a summary of board policies governing the district; board policies are available to the public at the district office	Case law suggests that including this statement may reduce a District's liability.
	Statement that the handbook may be amended during the year without notice	Case law suggests that including this statement may reduce a District's liability.
	Communication of all policies to persons expected to execute and comply with them	Case law suggests that including this statement may reduce a District's liability.

Recommended Notices

Student Services

	Recommended Topics	IASB Policy and Procedure Code
	Secular textbook loan program and process for parent/guardian to request a loan of a secular textbook from ISBE	4:140, <i>Waiver of Student Fees</i>
	Fire drill program, building specific plan	4:170, <i>Safety</i> 4:170-AP1, <i>Comprehensive Safety and Crisis Program</i>
	Severe weather or other emergency procedures, building specific plan	4:170, <i>Safety</i> 4:170-AP1, <i>Comprehensive Safety and Crisis Program</i>
	School safety plans	4:170, <i>Safety</i> 4:170-AP1, <i>Comprehensive Safety and Crisis Program</i> 4:170-E1, <i>Accident Form</i>
	Injury or sudden illness to students or staff	4:170, <i>Safety</i> 4:170-AP1, <i>Comprehensive Safety and Crisis Program</i>

	Recommended Topics	IASB Policy and Procedure Code
		4:170-E1, <i>Accident Form</i>
	Home and hospital instruction	6:150, <i>Home and Hospital Instruction</i>
	Student residency and tuition	7:60, <i>Residence</i> 7:60-AP1, <i>Challenging a Student's Residence Status</i> 7:60-AP2, <i>Establishing Student Residency</i> 7:60-AP2, E1, <i>Letter from Landlord in Lieu of Lease</i> 7:60-AP2, E2, <i>Letter of Residence to be Used When the Person Seeking to Enroll the Student Is Living with a District Resident</i> 7:60-AP2, E3, <i>Evidence of Non-Parent's Custody, Control, and Responsibility of a Student</i>
	Parking, building specific	7:140, <i>Search and Seizure</i>
	Health and guidance counselor and social work access	7:250, <i>Student Support Services</i>
	Communicable and infectious disease and management of students with the disease	7:280, <i>Communicable and Chronic Infectious Disease</i> 7:280-AP, <i>Managing Students with Communicable and Infectious Diseases</i>
	Telephone use, building specific	NA

Student Programs

	Recommended Topics	IASB Policy and Procedure Code
	Weighted grades	NA
	Statement of district philosophy and goals	1:30, <i>School District Philosophy</i> 3:10, <i>Goals and Objectives</i> 6:10, <i>Educational Philosophy and Objectives</i>
	Anti-bias curriculum	6:60, <i>Curriculum Content</i>
	Driver education eligibility and requirements (high schools only)	6:60, <i>Curriculum Content</i>
	Parental objections to sex education, family life instruction, and sexually transmitted diseases	6:60-E, <i>Notice to Parents/Guardians of Students Enrolled in Family Life and Sex Education Classes</i>
	Bilingual education availability	6:160, <i>English Language Learners</i>

	Recommended Topics	IASB Policy and Procedure Code
	Co-curricular activities	6:190, <i>Extracurricular and Co-Curricular Activities</i>
	“No Pass, No Play”	6:190, <i>Extracurricular and Co-Curricular Activities</i> 6:190-AP, <i>Eligibility for Participation in Extracurricular Activities</i>
	Parental right to review instructional materials	6:210, <i>Instructional Materials</i>
	Acceptable use and Internet safety policy	6:235, <i>Access to Electronic Networks</i> 6:235-AP1, <i>Acceptable Use of Electronic Networks</i> 6:235-E1, <i>Letter to Parents/Guardians Regarding Student Use of the District’s Electronic Networks</i> 6:235-E2, <i>Authorization for Electronic Network Access</i>
	Social promotion	6:280, <i>Grading and Promotion</i> 6:280-AP, <i>Evaluating and Reporting Student Achievement</i>
	High school graduation requirements (high schools only)	6:300, <i>Graduation Requirements</i>
	Right of students with IEP to participate in graduation ceremony (high schools only)	6:300, <i>Graduation Requirements</i>
	Physical education policy, including waiver of required classes	6:310, <i>Credit for Alternative Courses and Programs, and Course Substitutions</i>
	Class schedules, building specific	NA
	Schedule of testing programs, building specific	6:340, <i>Student Testing and Assessment Program</i>
	Distribution of non-curricular material by students	7:310, <i>Restrictions on Publications and Written or Electronic Material</i> 7:310-AP, <i>Guidelines for Student Distribution of Non-School Sponsored Written Material on School Grounds</i>

General Information

	Recommended Topics	IASB Policy and Procedure Code
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	Recommended Topics	IASB Policy and Procedure Code
	Asbestos Management Plan, notice of availability	NA
	School calendar	6:20, <i>School Year Calendar and Day</i>
	Field trip	6:240, <i>Field Trips</i> 6:240-AP, <i>Field Trip Guidelines</i>
	Release time for religious instruction/observance	7:80, <i>Release Time for Religions Instruction/Observance</i>
	Extra-curricular drug and alcohol testing (if applicable)	7:240-AP2, <i>Extracurricular Drug and Alcohol Testing Program</i> 7:240-E, <i>Consent to Participate in Extracurricular Drug and Alcohol Testing Program</i>
	Identification and registration of persons entering the school building	8:30, <i>Visitors to and Conduct on School Property</i>
	Address of district offices, list of administrators, and contact information	NA
	Board Members' names	NA
	List of district schools and locations	NA
	Statement that the handbook is only a summary of board policies governing the district; board policies are available to the public at the district office	NA

Special Circumstance Notifications

	Special Circumstance Topics	IASB Policy and Procedure Code
	Notification for unsafe school transfer choice	4:170, <i>Safety</i> 4:170-AP5, <i>Unsafe School Choice Option</i>
	Notification of right to review teachers' qualifications	5:190, <i>Teacher Qualifications</i> 5:190-E1, <i>Notice to Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications</i> 5:190-E2, <i>Notice to Parents When Their Child Is Assigned To or Has Been Taught for at Least Four Straight Weeks By a Teacher Who Is Not Highly Qualified</i> 5:190-E3, <i>Letter to Teacher Who Is Not Highly Qualified</i>

	Special Circumstance Topics	IASB Policy and Procedure Code
	Notification when student is being taught by a teacher who is not highly qualified	5:190-E2, <i>Notice to Parents When Their Child Is Assigned To or Has Been Taught for at Least Four Straight Weeks By a Teacher Who Is Not Highly Qualified</i>
	Notification of school identified as in need of improvement	6:15, <i>School Accountability</i> 6:15-AP, <i>School Choice and Supplemental Educational Services</i>
	Notification of schools identified for corrective action	6:15, <i>School Accountability</i> 6:15-AP, <i>School Choice and Supplemental Educational Services</i>
	Notification of schools identified for restructuring	6:15, <i>School Accountability</i> 6:15-AP, <i>School Choice and Supplemental Educational Services</i>
	Notification of eligibility for supplemental educational services	6:15, <i>School Accountability</i> 6:15-AP, <i>School Choice and Supplemental Educational Services</i>
	Notification to parents in districts offering voluntary school choice	6:15, <i>School Accountability</i> 6:15-AP, <i>School Choice and Supplemental Educational Services</i>

Students

This policy becomes effective and replaces the policy on *Suspension Procedures* on the first student attendance day of the 2016-2017 school year.

Suspension Procedures

In-School Suspension

The Superintendent or designee is authorized to maintain an in-school suspension program. The program shall include, at a minimum, each of the following:

1. Before assigning a student to in-school suspension, the charges will be explained and the student will be given an opportunity to respond to the charges.
2. Students are supervised by licensed school personnel or other designee of the Superintendent or Building Principal.
3. Students are given the opportunity to complete classroom work during the in-school suspension for equivalent academic credit.

Out-of-School Suspension

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

1. A conference during which the charges will be explained and the student will be given an opportunity to respond to the charges before he or she may be suspended.
2. A pre-suspension conference is not required, and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
3. An attempted phone call to the student's parent(s)/guardian(s).
4. A written notice of the suspension to the parent(s)/guardian(s) and the student, which shall:
 - a. Provide notice to the parent(s)/guardian(s) of their child's right to a review of the suspension;
 - b. Include information about an opportunity to make up work missed during the suspension for equivalent academic credit;
 - c. Detail the specific act of gross disobedience or misconduct resulting in the decision to suspend;
 - d. Provide rationale or an explanation of how the chosen number of suspension days will address the threat or disruption posed by the student or his or her act of gross disobedience or misconduct; and
 - e. Depending upon the length of the out-of-school suspension, include the following applicable information:
 - i. For a suspension of 3 school days or less, an explanation that the student's continuing presence in school would either pose:
 - a) A threat to school safety, or

- b) A disruption to other students' learning opportunities.
 - ii. For a suspension of 4 or more school days, an explanation:
 - a) That other appropriate and available behavioral and disciplinary interventions have been exhausted,
 - b) As to whether school officials attempted other interventions or determined that no other interventions were available for the student, and
 - c) That the student's continuing presence in school would either:
 - i) Pose a threat to the safety of other students, staff, or members of the school community, or
 - ii) Substantially disrupt, impede, or interfere with the operation of the school.
 - iii. For a suspension of 5 or more school days, the information listed in section 4.e.ii., above, along with documentation by the Superintendent or designee determining what, if any, appropriate and available support services will be provided to the student during the length of his or her suspension.
5. A summary of the notice, including the reason for the suspension and the suspension length, must be given to the Board by the Superintendent or designee.
6. Upon request of the parent(s)/guardian(s), a review of the suspension shall be conducted by the Board or a hearing officer appointed by the Board. At the review, the student's parent(s)/guardian(s) may appear and discuss the suspension with the Board or its hearing officer and may be represented by counsel. Whenever there is evidence that mental illness may be the cause for the suspension, the Superintendent or designee shall invite a representative from the Department of Human Services to consult with the Board. After presentation of the evidence or receipt of the hearing officer's report, the Board shall take such action as it finds appropriate. If the suspension is upheld, the Board's written suspension decision shall specifically detail items (a) and (e) in number 4, above.

LEGAL REF.: 105 ILCS 5/10-22.6.
Goss v. Lopez, 95 S.Ct. 729 (1975).
Sieck v. Oak Park River-Forest High School, 807 F.Supp. 73 (N.D. Ill., E.D., 1992).

CROSS REF.: 5:100 (Staff Development), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:220 (Bus Conduct)

Students

This policy becomes effective and replaces the current policy on *Expulsion Procedures* on the first student attendance day of the 2016-2017 school year.

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 shall:
 - a. Include the time, date, and place for the hearing.
 - b. Briefly describe what will happen during the hearing.
 - c. Detail the specific act of gross disobedience or misconduct resulting in the decision to recommend expulsion.
 - d. List the student's prior suspension(s).
 - e. State 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.
 - f. Ask that the student or parent(s)/guardian(s) or attorney inform the Superintendent or Board Attorney if the student will be represented by an attorney and, if so, the attorney's name and contact information.
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 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. Whenever there is evidence that mental illness may be the cause for the recommended expulsion, the Superintendent or designee shall invite a representative from the Dept. of Human Services to consult with the Board.
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. School officials must provide: (1) testimony of any other interventions attempted and exhausted or of their determination that no other appropriate and available interventions were available for the student, and (2) evidence of the threat or disruption posed by the student. 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.
4. If the Board acts to expel the student, its written expulsion decision shall:
 - a. Detail the specific reason why removing the student from his or her learning environment is in the best interest of the school.
 - b. Provide a rationale for the specific duration of the recommended expulsion.

- c. Document how school officials determined that all behavioral and disciplinary interventions have been exhausted by specifying which interventions were attempted or whether school officials determined that no other appropriate and available interventions existed for the student.
 - d. Document how the student's continuing presence in school would (1) pose a threat to the safety of other students, staff, or members of the school community, or (2) substantially disrupt, impede, or interfere with the operation of the school.
5. Upon expulsion, the District may refer the student to appropriate and available support services.

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

CROSS REF.: 5:100 (Staff Development); 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:200 (Suspension Procedures), 7:230 (Misconduct by Students with Disabilities)

Students

Bus Conduct

All students must follow the District's School Bus Safety Guidelines. The Superintendent, or any designee as permitted in The School Code, is authorized to suspend a student from riding the school bus for up to 10 consecutive school days for engaging in gross disobedience or misconduct, including but not limited to, the following:

1. Prohibited student conduct as defined in the Student Discipline policy, 7:190 *Student Discipline*.
2. Willful injury or threat of injury to a bus driver or to another rider.
3. Willful and/or repeated defacement of the bus.
4. Repeated use of profanity.
5. Repeated willful disobedience of the bus driver's or other supervisor's directives.
6. Such other behavior as the administration deems to threaten the safe operation of the bus and/or its occupants.

If a student is suspended from riding the bus for gross disobedience or misconduct on a bus, the School Board may suspend the student from riding the school bus for a period in excess of 10 days for safety reasons. The District's regular suspension procedures shall be used to suspend a student's privilege to ride a school bus.

Electronic Recordings on School Buses

Electronic visual and audio recordings may be used on school buses to monitor conduct and to promote and maintain a safe environment for students and employees when transportation is provided for any school related activity. Notice of electronic recordings shall be displayed on the exterior of the vehicle's entrance door and front interior bulkhead in compliance with State law and the rules of the Illinois Department of Transportation, Division of Traffic Safety.

Students are prohibited from tampering with electronic recording devices. Students who violate this policy shall be disciplined in accordance with the Board's discipline policy and shall reimburse the School District for any necessary repairs or replacement.

LEGAL REF.: Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, 34 C.F.R. Part 99.
 105 ILCS 5/10-22.6 and 10
 720 ILCS 5/14-3(m).
 23 Ill.Admin.Code Part 375, Student Records

CROSS REF.: 4:110 (Transportation), 4:170 (Safety), 7:130 (Student Rights and Responsibilities), 7:170 (Vandalism), 7:190 (Student Discipline), 7:200 (Suspension Procedures), 7:340 (Student Records)

ADMIN. PROC.: 4:170-AP3 (School Bus Safety Rules)

Students

Administrative Procedure – Electronic Recordings on School Buses

Review of Electronic Recordings

Electronic video and audio recordings are viewed to investigate an incident reported by a bus driver, administrator, supervisor, student, or other person. They are also viewed at random.

Viewing and/or listening to electronic video and/or audio recordings is limited to individuals having a legitimate educational or administrative purpose. In most instances, individuals with a legitimate educational or administrative purpose will be the Superintendent, administrator (including the Building Principal.), transportation Director, bus driver, and sponsor, coach, or other supervisor. A written log will be kept of those individuals viewing the videotapes stating the time, name of individual viewing, and the date the video recording was viewed.

An electronic video or audio recording may be reused or erased after 14 days unless it is needed for an educational or administrative purpose.

Notice of Electronic Recordings

Notice of the adopted policy regarding video and audio recordings shall be: (1) clearly posted on the front door and interior of the school bus, (2) provided to students and parents/guardians, and (3) included in student handbooks and other documents.

Students

Misconduct by Students with Disabilities

Behavioral Interventions

The District is committed to providing all students with disabilities with a learning environment that is conducive to their academic, social and emotional growth. Behavioral interventions should be used by teachers and administrators to promote and strengthen desirable adaptive student behaviors and reduce identified inappropriate behaviors. A fundamental principle is that positive, non-aversive interventions designed to develop and strengthen desirable student behaviors should be used when they are likely to be effective. While positive approaches alone will not always succeed in managing inappropriate behavior, the use of more restrictive behavioral interventions should be used sparingly and approached with caution.

Nonrestrictive interventions are preferred, when appropriate, because of the low risk of negative side effects and the high priority placed on positive behavior change rather than behavior control. The use of positive and non-aversive interventions will be given the highest priority and will be directed at the development of positive student behaviors and skills.

Restrictive interventions may be appropriate during emergency situations or when less restrictive interventions have been attempted but have failed. When a student is significantly, continuously disruptive to the learning environment, a written individualized behavior management plan will be developed. Restrictive interventions shall be used for the minimal amount of time necessary to manage the student's behavior and shall be used in conjunction with positive interventions designed to strengthen the appropriate behaviors.

Restrictive interventions such as physical restraint or isolated time out may be necessary during emergency situations when there is a need to protect the student, other individuals, or the physical site from harm. School personnel may use an intervention that has not been delineated in the student's behavior management plan as long as the intervention conforms with Board Policy. The use of physical restraint or isolated time out are defined by state regulations. Prohibited interventions such as corporal punishment and expulsion with the cessation of services, shall not be used.

Copies of this policy, and any other policies and procedures adopted in relation to the use of behavioral interventions will be provided to the parents or guardians when an individualized education plan is first implemented for the student.

The District shall maintain a behavioral intervention committee to implement this policy. In addition, this committee shall monitor the use of restrictive interventions with students with disabilities.

Discipline of Special Education Students

The District shall comply with the Individuals With Disabilities Education Improvement Act of 2004 and the Illinois State Board of Education's *Special Education* rules when disciplining students. No special education student shall be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of his or her disability. Any special education student whose gross disobedience or misconduct is not a manifestation of his or her disability may be expelled pursuant to the expulsion procedures, except that such disabled student shall continue to receive educational services as provided in the IDEA during such period of expulsion.

A special education student may be suspended for periods of no more than 10 consecutive school days each in response to separate incidents of misconduct, regardless of whether the student's gross disobedience or misconduct is a manifestation of his or her disabling condition, as long as the repeated removals do not constitute a pattern that amounts to a change in placement (considering factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another) and provided that such student receives educational services to the extent required by the IDEA during such removals.

Any special education student may be temporarily excluded from school by court order or by order of a duly appointed State of Illinois hearing officer changing the student's placement to an appropriate interim alternative educational setting for up to 45 days, if the District demonstrates that maintaining the student in his or her current placement is substantially likely to result in injury to the student or others.

A special education student who has carried a weapon to school or to a school function or who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function may be removed from his or her current placement. Such a student shall be placed in an appropriate interim alternative educational setting for no more than 45 days in accordance with the IDEA. The length of time a student with a disability is placed in an alternative educational setting must be the same amount of time that a student without a disability would be subject to discipline.

LEGAL REF.: Individuals With Disabilities Education Improvement Act of 2004, 20 U.S.C. §§1414, 1413, and 1415.
Gun-Free Schools Act, 20 U.S.C. §3351 et seq.
34 C.F.R. §§300.101, 300.530-300.536
105 ILCS 5/10-22.6 and 5/14-8.05.
23 Ill.Admin.Code §§226.4
Honig v. Doe, 108 S.Ct. 592 (1988).

CROSS REF.: 2:150 (Committees), 6:120 (Education of Children with Disabilities),
7:130 (Student Rights and Responsibilities), 7:190 (Student

Discipline), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus Conduct)

Students

Conduct Code for Participants in Extracurricular Activities

The Superintendent or designee, using input from coaches and sponsors of extracurricular activities, shall develop a conduct code for all participants in extracurricular activities consistent with Board policy. The conduct code shall: (1) require participants in extracurricular activities to conduct themselves as good citizens and exemplars of their school at all times, including after school, on days when school is not in session, and whether on or off school property, (2) emphasize that hazing and bullying activities are strictly prohibited; and (3) notify participants that failure to abide by it could result in removal from the activity. The conduct code shall be reviewed by the Building Principal periodically at his or her discretion and presented to the School Board.

All coaches and sponsors of extracurricular activities shall annually review the rules of conduct with participants and provide participants with a copy. In addition, coaches and sponsors of interscholastic athletic programs shall provide instruction on steroid abuse prevention to students in grades 7 through 12 participating in these programs.

LEGAL REF.: Board of Education of Independent School Dist. No. 92 v. Earls, 122 S.Ct. 2559 (2002).
Clements v. Board of Education of Decatur, 478 N.E.2d 1209 (Ill.App.4,1985).
Kevin Jordan v. O'Fallon THSD 203, 706 N.E.2d 137 (Ill.App.5, 1999).
Todd v. Rush County Schools, 133 F.3d 984 (7th Cir., 1998).
Veronica School Dist. 475 v. Acton, 515 U.S. 646 (1995).
105 ILCS 5/24-24, 5/27-23.3, 25/1.5.

CROSS REF.: 5:280 (Duties and Qualifications), 6:190 (Extracurricular and Co-Curricular Activities), 7:190 (Student Discipline), 7:300 (Extracurricular Athletics)

Students

Administrative Procedure - Code of Conduct for Extracurricular Activities

This Code of Conduct applies to all school-sponsored activities that are neither part of an academic class nor otherwise carry credit or a grade. Sponsors shall create a roster of students who are members or participants in an extracurricular activity and maintain attendance records.

The goal of the extracurricular program is to provide opportunities for students to pursue interests and develop life skills beyond the classroom. An additional goal of the athletic program is to develop the physical skills of student athletes, which will allow them to compete to the best of their ability within the School Board policies and the by-laws of any association of which the school is a member.

Members must conduct themselves at all times, including after school and on days school is not in session, as good citizens and exemplars of their school - they must behave in ways that are consistent with good sportsmanship, leadership, and appropriate moral conduct. They are expected to demonstrate good citizenship and exemplary conduct in the classroom, in the community, and during all facets of the activity.

The Code of Conduct below describes the expectations and goals of the extracurricular and athletic programs. This Code does not contain a complete list of inappropriate behaviors for students in extracurricular activities and athletics. This Code of Conduct will be enforced 365 days a year, 24 hours a day. A student may be excluded from activities or competition while the school is conducting an investigation regarding that student's conduct.

Students and their parents/guardians are encouraged to seek assistance from the student assistance program regarding alcohol or other drug problems. Family-referrals or self-referrals will be taken into consideration in determining consequences for Code of Conduct violations.

Code of Conduct

A student participating in an activity or athletic program will be subject to disciplinary action if he or she violates this Code of Conduct for Extracurricular Activities. Violations will be treated cumulatively, with disciplinary penalties increasing with subsequent violations.

The student shall not:

1. Violate the District's policies or procedures on student discipline;
2. Use a beverage containing alcohol (except for religious purposes);
3. Use tobacco in any form;
4. Use, possess, buy, sell, barter, or distribute any illegal substance or paraphernalia;
5. Use, possess, buy, sell, barter, or distribute any object that is or could be considered a weapon or any item that is a "look alike" weapon. This prohibition does not prohibit

- legal use of weapons in cooking and in sports, such as archery, martial arts practice, target shooting, hunting, and skeet;
6. Attend a party or other gathering and/or ride in a vehicle where alcoholic beverages and/or controlled substances are being consumed by minors;
 7. Act in an unsportsmanlike manner;
 8. Vandalize or steal;
 9. Haze other students;
 10. Violate the written rules for the activity or sport;
 11. Behave in a manner that is detrimental to the good of the group or school;
 12. Be insubordinate or disrespectful toward the activity's sponsors or team's coaching staff;
 13. Falsify any information contained on any permit or permission form required by the activity or sport.

Due Process Procedures

Students who are accused of violating the Code of Conduct for Extracurricular Activities are entitled to the following due process:

1. The student should be advised of the disciplinary infraction with which he or she is being charged.
2. The student shall be entitled to a hearing before an appropriate administrator.
3. The student will be able to respond to any charges leveled against him or her.
4. The student may provide any additional information he or she wishes for the administrator to consider.
5. The administrator, with the help of other staff members if needed, may interview material witnesses or others with evidence concerning the case.
6. If the administrator finds, after reviewing the evidence, that the violation occurred, he or she will impose sanctions on the student, as follows:
 - a. Sanctions for violations other than drug and alcohol will be based on the nature of the offense and the number of offenses, and may include suspension from all activities or sports:
 - A specified period of time or percentage of events, competitions, or practices
 - The remainder of the season or for the next season
 - b. Sanctions for alcohol and other drug violations will be based on the following:
First violation:

- Use, possession, buying, selling, bartering, or distributing: A suspension of one third of the total number of performances, activities, or competitions or the remainder of the season, whichever is shorter. This penalty will be reduced if the student successfully completes a school-approved chemical awareness program.
- Attendance at a party or riding in a vehicle where alcoholic beverages and/or controlled substances are being consumed: A suspension of one sixth of the total number of performances, activities or competitions, or the remainder of the season, whichever is shorter.
- The student will be required to practice with the group, regardless of the violation (unless suspended or expelled from school).

Second violation:

- Use, possession, buying, selling, bartering, or distributing: A suspension of 12 weeks or 1 season, including suspension from all performances, activities, or competitions during this period. To participate again in any activities, the student must successfully participate in and complete a school-approved alcohol and other drug abuse assessment and follow all recommendations from that assessment.
- Attendance at a party or riding in a vehicle where alcoholic beverages and/or controlled substances are being consumed: A suspension of one third of the season and all extracurricular group performances, activities, or competitions during this period.
- The student may be required to practice with the group (unless suspended or expelled from school).

Third violation:

- Use, possession, buying, selling, bartering, or distributing: A suspension from extracurricular activities for the remainder of the student's high school career.
- Attendance at a party or riding in a vehicle where alcoholic beverages and/or controlled substances are being consumed: A suspension of one calendar year from the date of the suspension, including all extracurricular activities during this period.

7. The administrator will make a written report of his or her decision and rationale. The student may appeal the decision to the Building Principal.

All students remain subject to the Board's student discipline policy and/or the school's student handbook and the disciplinary measures listed in them.

Students

Student Support Services

The following student support services may be provided by the School District:

1. Health services supervised by a qualified nurse. The Superintendent or designee may implement procedures to further a healthy school environment and prevent or reduce the spread of disease.
2. Educational and psychological testing services and the services of a psychologist as needed. In all cases, written permission to administer a psychological examination must be obtained from a student's parent(s)/guardian(s). The results will be given to the parent(s)/guardian(s), with interpretation, as well as to the appropriate professional staff.
3. The services of a social worker. A student's parent(s)/guardian(s) must consent to regular or continuing services from a social worker.
4. Guidance and counseling services.
5. A liaison to facilitate the enrollment and transfer of records of students in the legal custody of the Illinois Department of Children and Family Services when enrolling in or changing schools.

The Superintendent or designee shall develop protocols for responding to students with social, emotional, or mental health problems that impact the learning ability. The District, however, assumes no liability for preventing, identifying, or treating such problems.

This policy shall be implemented in a manner consistent with State and federal laws, including the Individuals with Disabilities Education Act, 42 U.S.C. §12101 et seq.

LEGAL REF.: Children's Mental Health Act of 2003, 405 ILCS 49/
Mental Health and Developmental Disabilities Confidentiality Act, 740
ILCS 110/
105 ILCS 5/10-20.58.

CROSS REF.: 6:65 (Student Social and Emotional Development), 6:270 (Guidance
and Counseling Program), 7:100 (Health, Eye, and Dental
Examinations; Immunizations; and Exclusion of Students), 7:280
(Communicable and Chronic Infectious Diseases), 7:340 (Student
Records)

Students

Administrative Procedure - Measures to Control the Spread of Head Lice at School

Actor	Action
Health Aide	<p>Involves parent organization in the development and implementation of programs regarding prevention and treatment.</p> <p>Provides information regarding control to staff, students, and parents.</p> <p>Provides inservice to school personnel on preventing transmission in classrooms, including:</p> <ul style="list-style-type: none"> • Confidentiality requirements • Identification • Precautions against self-contamination and cross-contamination, e.g., <ol style="list-style-type: none"> a. Carpets should be vacuumed frequently. b. Cloth-covered stuffed animals, sleeping mats, pillows, sofas, and other stuffed furniture should be discouraged. • Treatment and resources for treatment. • Readmission requirements. • Respect for sensitivity of students and parents/guardians regarding this condition.
Parent/Guardian	<p>Assist in preventing and managing head lice outbreaks by regularly checking their children's hair and providing immediate treatment if lice are detected.</p> <ul style="list-style-type: none"> • Check your child's hair and scalp regularly for eggs; tiny white or grayish grains stuck to the hair. Head lice like clean heads, too. • Do not allow your child to use other children's combs, brushes, hats, etc. • If you find your child does have head lice, please inform the school so a check can be made on the other children in the class. • Call your physician for a medicated shampoo. Follow the instructions for the entire family. • Hats, combs, brushes, and bed linens should be cleaned thoroughly. After the medicated shampoo, you can loosen the eggs with scalp rinses of vinegar, and then slide the eggs off the hair shaft with tweezers, a special fine tooth comb, or your fingernails.
Staff	<p>To prevent the spread of head lice infestations, report all suspected cases of head lice to the school nurse or designee as soon as possible.</p>
Health Aide	<p>Inspect the head of any student reasonably suspected of having head lice as soon as possible.</p> <p>Check the siblings of any student with head lice and notify other schools where siblings attend.</p> <p>Check the student's contacts for the presence of lice.</p>

Actor	Action
	Provide the student's parent(s)/guardian(s) with information regarding head lice treatment. If more than one student is affected in any class, examine all students in the class and provide information about head lice to all parents/guardians of students in the class.
Building Principal	If eggs (nits) or lice are found, exclude the student from attendance and inform the parent(s)/guardian(s) about recommended treatment procedures and sources of further information.
Staff	Maintain the privacy of students identified as having head lice and excluded from attendance.
Parent/Guardian	Return an excluded student to school by bringing a note verifying treatment. ¹
Health Aide	Examine any excluded student and verify to the Building Principal that all eggs (nits) and lice are gone so that the student may return.
Building Principal	Notify parent(s)/guardian(s) whose excluded student has not returned to school within 5 days of the following: <ul style="list-style-type: none"> • School attendance laws • Action which may be taken if absence continues • Resources for treatment information

¹ This is a nit-free requirement. A nit-free requirement eliminates any subjective call for school personnel as to whether the nit is dead or alive. Alternatively, the administration may believe a nit-free requirement is unnecessary to successfully manage head lice and results in unnecessary absences. If so, eliminate the reinspection requirement by deleting this row.

Students

Administrative Procedure - Protocol for Responding to Students with Social, Emotional, or Mental Health Problems

Student Support Committee

Each Building Principal shall annually appoint a building-level Student Support Committee that shall have the tasks described in this Administrative Procedure. Committee members must be school staff members who are qualified by professional licensing or experience to address issues concerning students who may have social, emotional, or mental health problems. As needed on a case-by-case basis, the Student Support Committee may request the involvement of the Building Principal, relevant teachers, and the parents/guardians. Records produced and shared among Committee members may be subject to laws governing student records. Confidential information given by a student to a therapist is governed by the Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/.

Children's Mental Health Partnership's Plan and Annual Progress Reports

The Illinois Children's Mental Health Partnership (ICMHP) monitors the implementation of its statewide Children's Mental Health Plan (CMH Plan). The CMH Plan is a statewide strategic blueprint or "roadmap" to promote and improve the children's mental health system and covers a range of recommendations and strategies necessary to reforming the children's mental health system in Illinois. Every year, the ICMHP must submit an annual progress report to the Governor for approval. The Student Support Committee will monitor the annual CMH Plan (available at www.ivpa.org/childrensmhtf/) and decide how to implement its recommendations and strategies as appropriate within the resources available in the District.

Referrals

Staff members should refer a student suspected of having social, emotional, or mental health problems to the building-level Student Support Committee. The Student Support Committee will review information about a referred student, including prior interventions, and suggest appropriate steps for referral and follow-up. The Student Support Committee may offer strategies to a referred student's classroom teachers and parents/guardians about ways they can manage, address, and/or enhance the student's social and emotional development and mental health. In addition, the Student Support Committee may recommend coordinated educational, social work, school counseling, and/or student assistance services within the school as well as referrals to outside agencies.

Referrals under this procedure are unrelated to the special education evaluation process and do not trigger the District's timeline for evaluations. However, the use of these procedures shall not circumvent the special education process. See Administrative Procedure 6:120-AP, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities and Suspected Disabilities*.

Social Work and Psychological Services

The Student Support Committee may request the school social worker and psychologist provide support and consultation to teachers and staff about strategies to promote the social and emotional development and mental health of all students. They may also be requested to provide screening and early detection approaches to identify students with social, emotional, and mental health problems.

Written permission from the parent/guardian is required for any on-going social work and psychological services. "On-going" is defined as more than 5 contacts in which the student received these services. Written consent may be obtained through an IEP or other designated form. That consent does not entitle parents/guardians to know the contents of all that is discussed. School counselors, social workers, and psychologists will inform parents/guardians of all issues that pose a health and/or safety risk; they will inform the Building Principal of any health or safety risks that are present in the school.

Psycho-Educational Groups

As appropriate, the Student Support Committee may recommend that a student participate in a variety of psycho-educational groups. These groups are typically led by school counselors, social workers, or psychologists, but are not structured as therapeutic services. Groups are designed to help students better understand issues and develop strategies to manage issues of concern to them that may, if not addressed, interfere significantly with the students' educational progress or school adjustment. Groups have a written curriculum that guides discussion over a set period of time, generally 5 weeks. A student may participate in a group without parent/guardian permission for one such time period; subsequent enrollment in the same group requires parent/guardian permission.

Students in a group who present significant concern and for whom therapeutic services must be considered will be referred to the social workers, psychologists, or school counselors for individual consultation. (See above description of these services.)

School and Community Linkages

When possible, the Student Support Committee shall seek to establish linkages and partnerships with diverse community organizations with the goal of providing a coordinated, collaborative early intervention social and emotional development and mental health support system for students that is integrated with community mental health agencies and organizations and other child-serving agencies and systems.

LEGAL REF.: Children's Mental Health Act of 2003, 405 ILCS 49/.

Students

Exemption from Physical Education

In order to be excused from participation in physical education, a student must present an excuse from his or her parent/guardian or from a person licensed under the Medical Practice Act. The excuse may be based on medical or religious prohibitions. An excuse because of medical reasons must include a signed statement from a person licensed under the Medical Practice Act that corroborates the medical reason for the request. An excuse based on religious reasons must include a signed statement from a member of the clergy that corroborates the religious reason for the request.

Special activities in physical education will be provided for students whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act, prevents their participation in the physical education courses.

State law prohibits a the Board from honoring parental excuses based upon a student's participation in athletic training, activities, or competitions conducted outside the auspices of the School District.

LEGAL REF.: 105 ILCS 5/27-6.
225 ILCS 60/, Medical Practice Act
23 Ill.Admin.Code §1.420(p) and §1.425(d),(e),(f).

CROSS REF.: 6:60 (Curriculum Content), 6:310 (Credit for Alternative Courses and Programs, and Course Substitutions)

Students

Administering Medicines to Students

Students should not take medication during school hours or during school-related activities unless it is necessary for a student's health and well-being. When a student's licensed health care provider and parent/guardian believe that it is necessary for the student to take a medication during school hours or school-related activities, the parent/guardian must request that the school dispense the medication to the child and otherwise follow the District's procedures on dispensing medication.

No School District employee shall administer to any student, or supervise a student's self-administration of, any prescription or non-prescription medication until a completed and signed "School Medication Authorization Form" is submitted by the student's parent/guardian. No student shall possess or consume any prescription or non-prescription medication on school grounds or at a school-related function other than as provided for in this policy and its implementing procedures.

The Building Principal shall include this policy in the Student Handbook and shall provide a copy to the parents/guardians of students.

Self-Administration of Medication

A student may possess an epinephrine auto-injector, e.g. EpiPen®, and/or asthma medication prescribed for use at the student's discretion, provided the student's parent/guardian has completed and signed a "School Medication Authorization Form." The School District shall incur no liability, except for willful and wanton conduct, as a result of any injury arising from a student's self-administration of medication or epinephrine auto-injector or the storage of any medication by school personnel. A student's parent/guardian must indemnify and hold harmless the School District and its employees and agents, against any claims, except a claim based on willful and wanton conduct, arising out of a student's self-administration of an epinephrine auto-injector and/or medication, or the storage of any medication by school personnel.

School District Supply of Undesignated Epinephrine Auto-Injectors

The Superintendent or designee shall implement Section 22-30(f) of the School Code and maintain a supply of undesignated epinephrine auto-injectors in the name of the District and provide or administer them as necessary according to State law. *Undesignated epinephrine auto-injector* means an epinephrine auto-injector prescribed in the name of the District or one of its schools. A school nurse or trained personnel, as defined in State law, may administer an undesignated epinephrine auto-injector to a person when they, in good faith, believe a person is having an anaphylactic reaction.

This section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for undesignated epinephrine auto-injectors from a physician or advanced practice nurse licensed to practice medicine in all its

branches, or (2) fill the District's prescription for undesignated school epinephrine auto-injectors.

Upon any administration of an undesignated epinephrine auto-injector, the Superintendent or designee(s) must ensure all notifications required by State law and administrative procedures occur.

Upon implementation of this policy, the protections from liability and hold harmless provisions as explained in Section 22-30(c) of the School Code apply.

No one, including without limitation parents/guardians of students, should rely on the District for the availability of an epinephrine auto-injector. This policy does not guarantee the availability of an epinephrine auto-injector; students and their parents/guardians should consult their own physician regarding this medication.

Nothing in this policy shall prohibit any school employee from providing emergency assistance to students, including administering medication.

The Building Principal shall include this policy in the Student Handbook and shall provide a copy to the parents/guardians of students.

LEGAL REF.: 105 ILCS 5/10-20.14b, 5/10-22.21b, and 5/22-30.

CROSS REF.: 7:285 (Food Allergy Management)

ADMIN. PROC.: 7:270-AP (Dispensing Medication), 7:270-E (School Medication Authorization Form)

Students

Administrative Procedure - Dispensing Medication

Actor	Action
Parents/Guardians	<p>Ask the child's physician, dentist, or other health care provider who has authority to prescribe medications if a medication, either prescription or non-prescription, must be administered during the school day. "Medications" includes an epinephrine auto-injector ("EpiPen®") and asthma inhaler medication.</p> <p>If so, ask the health care provider to complete a "School Medicine Authorization Form." This form must be completed and given to the school before the school will store or dispense any medication and before your child may possess asthma medication or an EpiPen®.</p> <p>If a student is on a medication indefinitely, the parent/guardian must file a new "School Medication Authorization Form" every year.</p> <p>Bring the medication to the school office. If the medicine is for asthma or is an EpiPen®, a student may keep possession of it for immediate use at the student's discretion.</p> <p>Bring prescription medication to the school in the original package or appropriately labeled container. The container shall display:</p> <ul style="list-style-type: none"> Student's name Prescription number Medication name and dosage Administration route and/or other direction Dates to be taken Licensed prescriber's name Pharmacy name, address, and phone number <p>Bring non-prescription medications to school in the manufacturer's original container with the label indicating the ingredients and the student's name affixed.</p> <p>At the end of the treatment regime, remove any unused medication from the school.</p>
School Office Personnel	<p>Provide a copy of these procedures, as well as a "School Medication Authorization Form," to inquiring parents/guardians.</p> <p>Whenever a parent/guardian brings medication for a student to the office, summon the school nurse.</p> <p>If the school nurse is unavailable, accept the medication, provided the parent/guardian submits a completed "School Medication</p>

Actor	Action
	<p>Authorization Form” and the medication is packaged in the appropriate container.</p> <p>Put the medication in the appropriate locked drawer or cabinet. Tell the school nurse about the medication as soon as possible.</p>
<p>School Nurse (certificated school nurse or non-certificated registered professional nurse)</p>	<p>Ensure that a parent/guardian who brings medication for his or her child has complied with the parent/guardian’s responsibilities as described in this administrative procedure.</p> <p>In conjunction with the licensed prescriber and parent/guardian, identify circumstances, if any, in which the student may self-administer the medication and/or carry the medication. A student will be permitted to carry and self-administer medication for asthma or an EpiPen®.</p> <p>Store the medication in a locked drawer or cabinet. A student may keep possession of medication for asthma or an EpiPen®. Medications requiring refrigeration should be refrigerated in a secure area.</p> <p>Plan with the student the time(s) the student should come to the nurse’s office to receive medications.</p> <p>Document each dose of the medication in the student’s individual health record. Documentation shall include date, time, dosage, route, and the signature of the person administering the medication or supervising the student in self-administration.</p> <p>Assess effectiveness and side effects as required by the licensed prescriber. Provide written feedback to the licensed prescriber and the parent/guardian as requested by the licensed prescriber.</p> <p>Document whenever the medication is not administered as ordered along with the reasons.</p> <p>If the parent/guardian does not pick up the medication by the end of the school year, discard the medication in the presence of a witness.</p>

Actor	Action
Building Principal	<p>Supervise the use of these procedures.</p> <p>Perform any duties described for school office personnel, as needed.</p> <p>Perform any duties described for school nurses, as needed, or delegate those duties to appropriate staff members. No staff member shall be required to administer medications to students, except school nurses, non-certificated and registered professional nurses, and administrators.</p> <p>Make arrangements, in conjunction with the parent/guardian, supervising teachers, and/or bus drivers for the student to receive needed medication while on a field trip. Unless these arrangements can be made, the student must forego the field trip.</p>

LEGAL REF.: 105 ILCS 5/10-20.14b, 5/10-22.21b, and 5/22-30.

Students

Exhibit - School Medication Authorization Form

To be completed by the child's parent(s)/guardian(s). A new form must be completed every school year. Keep in the school nurse's office or, in the absence of a school nurse, the Building Principal's office.

Student's Name: _____ Birth Date: _____

Address: _____

Home Phone: _____ Emergency Phone: _____

School: _____ Grade: _____ Teacher: _____

To be completed by the student's physician, physician assistant, or advanced practice RN:

Physician's Printed Name: _____

Office Address: _____

Office Phone: _____ Emergency Phone: _____

Medication name: _____

Purpose: _____

Dosage: _____ Frequency: _____

Time medication is to be administered or under what circumstances: _____

Prescription date: _____ Order date: _____ Discontinuation date: _____

Diagnosis requiring medication: _____

Is it necessary for this medication to be administered during the school day ? Yes No

Expected side effects, if any: _____

Time interval for re-evaluation: _____

Other medications student is receiving: _____

Physician's signature

Date

For only parents/guardians of students who need to carry asthma medication or an EpiPen®:

I authorize the School District and its employees and agents, to allow my child or ward to possess and use his or her asthma medication and/or epinephrine auto-injector: (1) while in school, (2) while at a school-sponsored activity, (3) while under the supervision of school personnel, or (4) before or after normal school activities, such as while in before-school or after-school care on school-operated property. Illinois law requires the School District to

inform parent(s)/guardian(s) that it, and its employees and agents, incur no liability, except for willful and wanton conduct, as a result of any injury arising from a student's self-administration of medication or epinephrine auto-injector (105 ILCS 5/22-30). **If you agree please initial:** _____

Parent(s)/guardian(s)

For all parents/guardians:

By signing below, I agree that I am primarily responsible for administering medication to my child. However, in the event that I am unable to do so or in the event of a medical emergency, I hereby authorize the School District and its employees and agents, in my behalf, to administer or to attempt to administer to my child (or to allow my child to self-administer, while under the supervision of the employees and agents of the School District), lawfully prescribed medication in the manner described above. **I acknowledge that it may be necessary for the administration of medications to my child to be performed by an individual other than a school nurse and specifically consent to such practices,** and I agree to indemnify and hold harmless the School District and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of the administration or the child's self-administration of medication.

Parent/Guardian printed name

Parent/Guardian printed name

Parent/Guardian signature* Date

Parent/Guardian signature* Date

** Both parents and/or guardians, if available, should sign.*

Students

Orders to Forgo Life-Sustaining Treatment ¹

Written orders from parent(s)/guardian(s) to forgo life-sustaining treatment for their child or ward must be signed by the child's physician and given to the Building Principal or Superintendent. This policy shall be interpreted in accordance with the Illinois Health Care Surrogate Act (755 ILCS 40/1 et seq.). ²

Whenever an order to forgo life-sustaining treatment is received, the Superintendent shall convene a multi-disciplinary team that includes the child's parent(s)/guardian(s) and physician, as well as school personnel designated by the Superintendent. ³ The team shall determine specific interventions to be used by school staff members in the event the child suffers a life-threatening episode at school or a school event. The District personnel shall convey orders to forgo life-sustaining treatment to the appropriate emergency or healthcare provider.

LEGAL REF.: 755 ILCS 40/1 et seq.
Cruzan v. Director, Missouri Department of Health, 497 U.S. 261 (1990).
In re: C.A., a minor, 603 N.E.2d 1171 (Ill.App.1, 1992).

¹ State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled.

² The Health Care Surrogate Act grants parents the authority to decide whether to forgo life-sustaining treatment on behalf of their minor child in certain situations (755 ILCS 40/20). The child must suffer a "qualifying condition," which means the existence of a terminal condition, permanent unconsciousness, or incurable or irreversible condition. These terms are defined in the Act.

The Act does not address the obligation of school staff members to comply with orders to forgo life-sustaining treatment, including "do not resuscitate" orders. Rather, the Act is silent regarding directives on life-sustaining care outside a health care facility or performed by a non-health care provider. The law does, however, indicate who should be the ultimate decision maker – the parent(s) or guardian(s). School officials should use the Act, after consulting the district's attorney, as a guideline.

³ Implementing orders to forgo life-sustaining care implicates the laws prohibiting discrimination on the basis of a disability (IDEA, 20 U.S.C. §1401; section 504, 29 U.S.C. §794; ADA, 42 U.S.C. §12101). A school agreeing to abide by such an order does so because of the disability's severity; a less severely disabled or non-disabled student would be treated differently. The U.S. Dept. of Education's Office of Civil Rights approved a policy that provided for a multi-disciplinary team to develop individually designed interventions. School staff members must use these interventions which might require honoring an order to forgo life-sustaining care (21 IDELR 83, 3-31-94). This sample policy balances the interests of the parents with the district's obligation under federal law by using such a team.

Students

Communicable and Chronic Infectious Disease 1 2

A student with or carrying a communicable and/or chronic infectious disease has all rights, privileges, and services provided by law and the District's policies. **3** The Superintendent will develop procedures for communicable and chronic infectious diseases for the Board's consideration.

LEGAL REF.: 105 ILCS 5/10-21.11.
 410 ILCS 315/2a.
 77 Ill.Admin.Code §690.100 et seq.
 Individuals With Disabilities Education Act, 20 U.S.C. §1400 et seq.
 Rehabilitation Act, Section 504, 29 U.S.C. §794(a).

1 State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled.

2 105 ILCS 5/10-21.11 requires all districts to have a policy on the appropriate manner of managing children with chronic infectious diseases.

3 A student with a contagious disease is probably a "handicapped individual" under Section 504 of the Rehabilitation Act (29 U.S.C. §794(a)). See: School Board of Nassau Co. v. Arline, 107 S.Ct. 1123 (1987) (teacher with tuberculosis was handicapped under section 504); Thomas v. Atascadero Unified School District, 662 F.Supp. 376 (C.D. Cal., 1986) (a child with AIDS was a "handicapped person" under section 504; District 27 Community School Board v. Board of Education of the City of New York, 502 N.Y.S.2d 325 (1986).

Students with contagious diseases may also qualify for special education under the Individuals With Disabilities Education Act (20 U.S.C. §1400 et seq.) A child who exhibits a physical or health impairment, either temporary or permanent, which interferes with his or her learning and/or which requires adaptation of the physical plant is eligible for special education programs and services (23 Ill.Admin.Code §226.552).

Decisions to place a student in a class outside regular classes due to infectious disease must be based on medical evaluations indicating a need to protect the health and safety of others. Community High School District 155 v. Denz, 463 N.E.2d 998 (Ill.App.2, 1984).

Cases involving contagious diseases are highly fact-specific. Generally, the appropriate treatment of a student depends on the severity of the disease and the risk of infecting others, but in all cases, legal counsel should be consulted.

Students

Administrative Procedure - Managing Students with Communicable or Infectious Diseases

A student with a communicable or infectious disease shall be treated as a “handicapped person” under Section 504 of the Rehabilitation Act of 1973, unless the student has an IEP under the Individuals with Disabilities in Education Act. For those students with an IEP, the District’s Administrative Procedure, 6:120-AP, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities*, must also be followed and they will control whenever there is a conflict with these procedures.

Rules and guidance from the ISBE and Illinois Department of Public Health should be consulted and supercede these procedures (see “Management of Chronic Infectious Diseases in Schoolchildren,” revised 2003 by the ISBE and IDPH, <http://www.isbe.net/spec-ed/PDF/chronicinfectiousdiseases2003.pdf> and “Communicable Disease Guide” revised 2002, IDPH).

Managing Students with Communicable or Infectious Diseases

Actor	Action
Parents/Guardians	Notifies the Building Principal where their child is enrolled if their child has a communicative or infectious disease. A communicative or infectious disease includes Acquired Immune Deficiency Syndrome (AIDS), AIDS-Related Complex (ARC), and Human Immunodeficiency Virus (HIV). See Exhibit 7:280-E2, <i>Reporting and Exclusion Requirements for Common Communicable Diseases</i> , for a list of communicative or infectious diseases.
Department of Public Health or Local Health Authority ¹	Gives prompt (within 3 working days) and confidential notice of a child’s identity to the Building Principal of the school in which the child is enrolled whenever a child is reported as having AIDS or AIDS-related complex (ARC) or as having been exposed to Human Immune Deficiency Virus (HIV) (410 ILCS 315/2a; 77 Ill.Admin.Code §697.400).
Building Principal or designee	Upon having knowledge of a known or suspected case or carrier of a communicable disease: <ol style="list-style-type: none"> a. Notifies the local health authority as required by the “Communicable Disease Guide 2002,” published by the Illinois Department of Public Health (77 Ill.Admin.Code §690.200). See also Exhibit 7:280-E2, <i>Reporting and Exclusion Requirements for Common Communicable</i>

¹ “Local health authority” is the health authority (i.e., full-time official health department, as recognized by the Department of Public Health) having jurisdiction over a particular area, including city, village, township, and county boards of health. In areas without a health department recognized by the Department, the local health authority is the Department (77 Ill.Admin.Code §690.900).

Actor	Action
	<p><i>Diseases</i>, identifying the diseases for which there is mandatory reporting. 2</p> <p>b. Notifies the Superintendent. 3 May, as necessary, disclose the infected child's identity to the school nurse, the applicable classroom teachers, and those persons who, by federal or State law, are required to decide the placement or educational program of the child (410 ILCS 315/2a).</p> <p>c. Notifies others, as necessary, provided the child's identity is not revealed (410 ILCS 315/2a).</p> <p>d. Temporarily excludes a student from school attendance according to the "Communicable Diseases Guide 2002" published by the Illinois Department of Public Health. The Guide mandates exclusions for certain diseases and may require exclusion for others depending on the circumstances.</p> <p>Keeps the school open where a student with a communicable disease attended, except in the event of an emergency (77 Ill.Admin.Code §690.1000).</p>
District staff	<p>Observes all rules of the Illinois Department of Public Health regarding communicable and chronic infectious disease. See the Legal References for a list of these rules.</p> <p>Collects and maintains the student's medical information in a manner that ensures the strictest confidentiality and in accordance with federal and State laws regarding student records.</p>
Superintendent or designee	<p>Confirms that all required and appropriate notices are made.</p> <p>Convenes the Communicable and Chronic Infectious Disease Review Team. This Superintendent committee is composed of the District's medical advisor, a school nurse, the Building Principal, and the Superintendent or designee (see 2:150-AP, <i>Superintendent Committees</i>).</p>
Communicable and Chronic Infectious Disease Review Team	<p>Arranges a meeting with the student's parent/guardian, personal physician, local health authorities, as well as persons with knowledge of the placement options available. The purpose of the meeting is to:</p> <p>a. Determine when an excluded student will return to school. This determination shall be based on whether the student poses a high risk of transmission of a communicable and chronic infectious disease to other students and staff. A student suspected of being infected with a disease for which isolation is required shall be refused</p>

2 The Communicable Disease Report Act, 745 ILCS 45, grants immunity from slander or libel to persons who in good faith make such reports.

3 State law requires such a notification to the superintendent only when the child is reported as having AIDS or ARC, or as having been exposed to HIV (410 ILCS 315/2a; 77 Ill.Admin.Code §697.400).

Actor	Action
	<p>admittance while acute symptoms are present (77 Ill.Admin.Code §690.1000).</p> <p>b. Perform a pre-placement evaluation (34 C.F.R. §104.35). See 7:280-E1, "Placement of School Children with Acquired Immunodeficiency Syndrome (AIDS)," published by the U.S. Dept. of Education Office for Civil Rights.</p> <p>c. Make a placement decision based on the pre-placement evaluation. The placement decision shall include any needed related services (34 C.F.R. §104.35).</p> <p>d. If there is a reason to believe that the student may have a disability requiring special education and related services, the child shall be referred for a special education evaluation. Referrals may also be made, at any time, by any concerned person, including but not limited to School District personnel, the child's parent(s)/guardian(s), a community service agency employee, a professional having knowledge of a child's problems, a child, or an ISBE employee. See the District's "Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities" (23 Ill.Admin.Code §226.110).</p> <p>Reports the results of the meeting to the Superintendent.</p>
Superintendent or designee	Notifies the student's parents/guardians when an excluded student can return to school and of the placement decision. If the student will not attend school, every reasonable effort shall be made to provide the student with an adequate alternative education. State regulations and school policy regarding homebound instruction shall apply.
Communicable and Chronic Infectious Disease Review Team	At least annually while a student has a contagious or infectious disease, arranges a meeting with the student's parent/guardian, personal physician, local health authorities, as well as persons with knowledge of the placement options available, to review the student's education placement and the provision of related services.

Managing a Student with a Communicable or Infectious Disease Who Demonstrates Behavior that Could Result In Infecting Other Students or Staff Members

Actor	Action
Parents/Guardians or any staff member	Notifies the Principal if a student with a communicable or infectious disease shows a lack of control of bodily secretions, has uncovered open sores, or demonstrates behavior (e.g., biting) that could result in direct inoculation of potentially infected body fluids into the bloodstream.
Building Principal	Immediately notifies the Superintendent of the above.
Superintendent or	Upon being notified that a student is demonstrating behavior that could

Actor	Action
designee	<p>spread his or her disease, convenes the Communicable and Chronic Infectious Disease Review Team.</p> <p>If appropriate, notifies parents of students of possible exposure if their student may have been exposed to a communicable or infectious disease due to behaviors exhibited by a student having such a disease.</p>
Communicable and Chronic Infectious Disease Review Team	<p>Arranges a meeting with the student's parent/guardian, personal physician, local health authorities, as well as persons with knowledge of the placement options available. The purpose of this meeting is to:</p> <ol style="list-style-type: none"> a. Determine whether the student's temporary removal from the classroom is appropriate because the student poses a high risk of transmitting a communicable and chronic infectious disease or whether another response exists to reduce the risk of transmission. A student suspected of being infected with a disease for which isolation is required shall be refused admittance while acute symptoms are present (77 Ill.Admin.Code §690.1000). b. Perform a pre-placement evaluation if the student will continue to attend school (34 C.F.R. §104.35). c. Make a placement decision based on the pre-placement evaluation. The placement decision shall include any needed related services (34 C.F.R. §104.35). If the student will continue to attend school, determine the student's appropriate educational placement. The team shall also determine if the student needs related services or placement outside the regular classroom. <p>Reports the meeting's results to the Superintendent.</p>
Superintendent or Designee	<p>Notifies the student's parent(s)/guardian(s) whether the student will attend school. If the student will not attend school or participate in school activities with other students, every reasonable effort shall be made to provide the student with an adequate alternative education; however, an individual student's IEP will control. State regulations and school policy regarding homebound instruction apply.</p>
Communicable and Chronic Infectious Disease Review Team	<p>At least once a month while a student is removed from normal school attendance, arranges a meeting with the student's parent/guardian, personal physician, local health authorities, as well as persons with knowledge of the placement options available, to review the removal and to determine whether the condition precipitating the removal has changed.</p>

General Post-Evaluation Procedures

Actor	Action
Parents/Guardians	May appeal their child's exclusion from school or educational placement

	to the School Board within 10 days of being notified of the action.
Parents/Guardians	When their child returns to school after an absence due to a communicable and chronic infectious disease, present a certificate from a physician licensed in Illinois stating that the child qualifies for re-admission to school under the rules of the Illinois Department of Public Health that regulate periods of incubation, communicability, quarantine, and reporting.

- LEGAL REF.: 105 ILCS 5/10-21.11 and 5/34-18.13.
410 ILCS 315/0.01 et seq.
105 ILCS 10/1 et seq.
23 Ill.Admin.Code §226.
77 Ill.Admin.Code §§665, 690, 693, 694, 695, 696, and 697.
“Communicable Disease Guide” (Illinois State Board of Education and Illinois Department of Public Health, 2002).
34 C.F.R. §104.34 and 104.35.
Americans with Disabilities Act of 1990, 42 U.S.C. §12101 et seq.
Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g.
Rehabilitation Act of 1973, Section 504, 29 U.S.C. §701 et seq.
- CROSS REF.: 2:150 (Committees), 5:40 (Communicable and Chronic Infectious Disease)

Students

Exhibit - Placement of Students with AIDS

The following are excerpts from, "Placement of School Children with Acquired Immune Deficiency Syndrome (AIDS)," U.S. Department of Education, Office for Civil Rights, www.ed.gov/offices/ocr.

OCR Policy on the School Placement of Children with AIDS

Children with AIDS are handicapped persons. Section 504 prohibits discrimination against persons with handicaps in federally assisted programs such as elementary and secondary schools. ***

Where Should Children with AIDS Be Educated

Most children with AIDS can attend school in the regular classroom without restrictions. There has been no medical evidence disclosed to show that AIDS is contagious in the school setting. According to the latest medical information, there have been no reported cases of the transmission of the AIDS virus in schools. The Surgeon General and other health authorities, such as the Centers for Disease Control and the American Medical Association, have reinforced this position stating that there is no significant risk of contracting AIDS in the classroom.

If a parent or school official believes that a child with AIDS needs related services or placement outside the regular classroom, Section 504 requires an evaluation and placement process to determine the appropriate educational setting for a child with AIDS. However, a full educational evaluation is not required when neither the school officials nor parents believe that a child is in need of special education or related services.

If an evaluation is necessary, Section 504 requires the following procedures. Placement determinations are to be made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options available. The group may include the child's physician, public health personnel, the child's parent or guardian, and personnel familiar with all possible educational services. The group would draw upon information from a variety of sources, such as tests, teacher recommendations, and assessments of the child's physical condition.

In making placement decisions, the information needed by the placement team varies with the handicapping condition. In the case of children with AIDS, the placement group must have the benefit of the latest reliable public health information with regard to the risks that the disease entails. This information would be considered along with information on the child's medical condition, behavior, and so forth. In each case, risks and benefits to both the infected child and others in the setting should be weighed.

A Child with AIDS Has a Right to Section 504 Procedural Safeguards

Section 504 requires elementary and secondary school districts to provide a free appropriate public education for handicapped students that includes evaluation and

placement procedures, and a system of procedural safeguards that includes notice to parents or guardians of their rights under the law, an opportunity for the child's parents or guardians to examine relevant records, an impartial hearing with an opportunity for participation by the parents or guardians and representation by counsel, and a review procedure.

A Child with AIDS Has a Right to Confidentiality

Under Section 504, singling out children handicapped with AIDS for treatment that differs from that provided to nonhandicapped children or children with other handicaps with respect to confidentiality would constitute different treatment on the basis of handicap, and would be a violation of the regulation.

This provision would not affect State and local public health rules regarding the duty of school districts to report specified diseases to public health departments. However, when reporting any cases of AIDS to public health authorities, school districts should convey such information in a manner that respects the privacy of the individual and the confidential nature of the information, in the same way that information about other diseases is treated.***

Students

Exhibit - Reporting and Exclusion Requirements for Common Communicable Diseases ¹

Disease	Reporting Mandated to Local Health Authority	Exclusion Mandatory
Animal Bites (potential for rabies)	None	None
Bacterial Vaginosis	None	None
Chancroid	As soon as possible, but within 7 days	Case-by-case analysis required.
Chickenpox (Varicella)	Uncomplicated cases are reportable by age, sex, and week of onset; cases with complications, e.g., meningitis, are reportable within 7 days	Case must be isolated and excluded from school or day care for not less than 5 days after the eruption of the last vesicles or until the vesicles become dry.
Chlamydia	As soon as possible, but within 7 days	None
Common Cold	None	None
Cytomegalovirus (CMV)	None	None
Diphtheria	As soon as possible, but within 24 hours	Case must be isolated and excluded from day care or school until 2 successive cultures from both nose and throat, taken not less than 24 hours apart, are negative for diphtheria bacilli; or when virulence tests prove bacilli to be a virulent.

¹ These are included in the Illinois Department of Public Health publication, "Communicable Disease Guide 2002." This publication is currently available in hard copy only. School and day care personnel, nurses, nurse aides, health care practitioners, and parents, among others, must notify the local health authority if they have knowledge of a known or suspected case or carrier of communicable disease (77 Ill.Admin.Code §690.200). The time frames are contained in the Ill. Dept. of Public Health rules. The reports may be by telephone or in writing and must be kept confidential.

Disease	Reporting Mandated to Local Health Authority	Exclusion Mandatory
E. Coli 0157:H7	As soon as possible, but within 24 hours	Exclude until diarrhea ceases for at least 24 hours.
Fever	None	None
Fifth Disease/Erythema Infectiosum (Parvovirus B19)	None	Exclude case if fever is present or if child does not feel well enough to participate in usual activities.
Gastroenteritis (Viral)	None	Exclude case from school until clinical recovery, i.e., absence of diarrhea and fever.
Genital Candidiasis (Yeast)	None	None
Genital Warts (Human Papillomavirus, HPV)	None	None
Giardiasis	As soon as possible, but within 7 days	Exclude case from school until clinical recovery, i.e., absence of diarrhea and fever.
Gonorrhea	As soon as possible, but within 7 days	None
Hand, Foot and Mouth Disease (Coxsackievirus A16)	None	None
Head Lice	None	Exclude case from school until the day after the first shampoo, lotion, or cream rinse pediculicide is properly applied.
Hepatitis A	As soon as possible, but within 24 hours	Exclude cases from school during the 2 weeks following onset of symptoms, or for 1 week after the onset of

Disease	Reporting Mandated to Local Health Authority	Exclusion Mandatory
		jaundice.
Hepatitis B	As soon as possible, but within 7 days	Case-by-case analysis required.
Hepatitis C	As soon as possible, but within 7 days	None
Herpes Simplex Virus	None	Case should be excluded from contact sports, e.g., wrestling, if active lesions are present on the body (outside the genital area) until lesions have resolved.
Human Immunodeficiency Virus (HIV) or (AIDS)	As soon as possible, but within 7 days	Case-by-case analysis required.
Impetigo	None	Exclude case from school until 24 hours after treatment begins.
Infectious Mononucleosis	None	Case-by-case analysis required.
Influenza	None	Exclude case from day care or school until clinical recovery, i.e., absence of fever.
Measles	As soon as possible, but within 24 hours	Case must be isolated and excluded from school until 4 days after the appearance of the rash.
Meningitis (Bacterial)	As soon as possible, but within 24 hours	Exclude case from school until clinical recovery, i.e., absence of fever.
Meningitis (Viral)	As soon as possible, but within 7 days	Exclude case from school until clinical recovery, i.e., absence of fever.

Disease	Reporting Mandated to Local Health Authority	Exclusion Mandatory
Mumps	As soon as possible, but within 7 days	Case must be isolated and excluded from school until 9 days after the onset of swelling.
Non-Gonococcal Urethritis/Non-specific Vaginitis	None	None
Pertussis	As soon as possible, but within 24 hours	Case must be isolated and excluded from school until at least 5 days after the start of antibiotic therapy.
Pink Eye	None	Exclude case from school until 24 hours after the treatment begins or child is examined by a physician and approved for readmission to school.
Pinworms	None	Exclude case from school until 24 hours after treatment begins.
Polio	As soon as possible, but within 24 hours	Case must be isolated and excluded from school until the end of the acute phase of disease.
Pubic Lice ("Crabs")	None	None
Rash	None	Case-by-case analysis required.
Respiratory Syncytial Virus (RSV)	None	Exclude case from school if child has a fever of 100° F or greater or is not well enough to participate.
Ringworm (body and scalp)	None	Exclude case from school until 24 hours

Disease	Reporting Mandated to Local Health Authority	Exclusion Mandatory
		after treatment begins and the lesion begins to shrink, unless lesion can be covered; a child need not be excluded if lesion(s) can be covered.
Rubella	As soon as possible, but within 7 days	Case should be isolated from school for 7 days after rash onset. Local school policies may exclude suspects or cases without a physician release.
Salmonellosis	As soon as possible, but within 7 days	Exclude case from school until clinical recovery, i.e., absence of fever and diarrhea.
Scabies	None	Exclude case from school until the day after the first scabicide treatment.
Shigellosis	As soon as possible, but within 7 days	Exclude case from school until clinical recovery, i.e., absence of fever and diarrhea.
Shingles	None	If shingles lesions cannot be covered, the case should be excluded until all lesions are crusted.
Streptococcal Sore Throat and Scarlet Fever	Cases without complications – None Cases with complications – as soon as possible, but within 24 hours	Exclude case from school until 24 hours after treatment begins; readmit provided fever is absent.
Syphilis	As soon as possible, but within 7 days	None
Trichomoniasis	None	None

Disease	Reporting Mandated to Local Health Authority	Exclusion Mandatory
Tuberculosis	As soon as possible, but within 7 days	Exclude case if considered to be infectious according to IDPH's rules and regulations for the control of TB. Case-by-case analysis required.

Students

Food Allergy Management Program

School attendance may increase a student's risk of exposure to allergens that could trigger a food-allergic reaction. A food allergy is an adverse reaction to a food protein mediated by the immune system which immediately reacts causing the release of histamine and other inflammatory chemicals and mediators. While it is not possible for the District to completely eliminate the risks of exposure to allergens when a student is at school, a Food Allergy Management Program using a cooperative effort among students' families, staff members, and students helps the District reduce these risks and provide accommodations and proper treatment for allergic reactions.

The Superintendent or designee shall develop and implement a Food Allergy Management Program that:

1. Fully implements the following goals established in The School Code: (a) identifying students with food allergies, (b) preventing exposure to known allergens, (c) responding to allergic reactions with prompt recognition of symptoms and treatment, and (d) educating and training all staff about management of students with food allergies, including administration of medication with an auto-injector, and providing an in-service training program for staff who work with students that is conducted by a person with expertise in anaphylactic reactions and management.
2. Follows and references the applicable best practices specific to the District's needs in the joint State Board of Education and Ill. Dept. of Public Health publication *Guidelines for Managing Life-Threatening Food Allergies in Schools*, available at: www.isbe.net/nutrition/pdf/food_allergy_guidelines.pdf.
3. Complies with State and federal law and is in alignment with Board policies.

LEGAL REF.: 105 ILCS 5/2-3.149 and 5/10-22.39.
Guidelines for Managing Life-Threatening Food Allergies in Schools (Guidelines), jointly published by the State Board of Education and Ill. Dept. of Public Health.

CROSS REF.: 4:110 (Transportation), 4:120 (Food Services), 4:170 (Safety), 5:100 (Staff Development Program), 6:120 (Education of Children with Disabilities), 6:240 (Field Trips), 7:250 (Student Support Services), 7:270 (Administering Medicines to Students), 8:100, (Relations with Other Organizations and Agencies)

General Personnel

Suicide and Depression Awareness and Prevention

Youth suicide impacts the safety of the school environment. It also affects the school community, diminishing the ability of surviving students to learn and the school's ability to educate. Suicide and depression awareness and prevention are important Board goals.

Suicide and Depression Awareness and Prevention Program

The Superintendent or designee shall develop, implement, and maintain a suicide and depression awareness and prevention program (Program) that advances the Board's goals of increasing awareness and prevention of depression and suicide. This program must be consistent with the requirements of Ann Marie's Law listed below; each listed requirement, 1-6, corresponds with the list of required policy components in the School Code Section 5/2-3.163(c)(2)-(7). The Program shall include:

1. Protocols for administering youth suicide awareness and prevention education to students and staff.
 - a. For students, implementation will incorporate Board policy 6:60, *Curriculum Content*, which implements 105 ILCS 5.2-3.139 and 105 ILCS 5/27-7 (requiring education for students to develop a sound mind and a healthy body).
 - b. For staff, implementation will incorporate Board policy 5:100, *Staff Development*, and teacher's institutes under 105 ILCS 5/3-14.8 (requiring coverage of the warning signs of suicidal behavior).
2. Procedures for methods of suicide prevention with the goal of early identification and referral of students possibly at risk of suicide.
 - a. For students in grades 7 through 12, implementation shall incorporate the training required by 105 ILCS 5/10-22.39 for school guidance counselors, teachers, school social workers, and other school personnel who work with students to identify the warning signs of suicidal behavior in adolescents and teens along with appropriate intervention and referral techniques, including methods of prevention, procedures for early identification, and referral of students at risk of suicide.
 - b. For all students, implementation shall incorporate Illinois State Board of Education (ISBE)-recommended guidelines and educational materials for staff training and professional development, along with ISBE-recommended resources for students containing age-appropriate educational materials on youth suicide and awareness, if available pursuant to Ann Marie's Law on ISBE's website.
3. Methods of intervention, including procedures that address an emotional or mental health safety plan for use during the school day and at school-sponsored events for a student identified as being at increased risk of suicide. Implementation will incorporate paragraph number 2, above, along with:
 - a. Board policy 6:65, *Student Social and Emotional Development*, implementing the goals and benchmarks of the Ill. Learning Standards and 405 ILCS 49/15(b) (requiring student social and emotional development in the District's educational program);

Adopted: April 19, 2004

Updated: December 14, 2009, February 24, 2014, March 16, 2016

- b. Board policy 6:270, *Guidance and Counseling Program*, implementing guidance and counseling program(s) for students, and 105 ILCS 5/10-22.24a and 22.24b, which allow a qualified guidance specialist or any licensed staff member to provide school counseling services.
 - c. Board policy 7:250, *Student Support Services*, implementing the Children's Mental Health Act of 2003, 405 ILCS 49/ (requiring protocols for responding to students with social, emotional, or mental health issues that impact learning ability); and
 - d. State and/or federal resources that address emotional or mental health safety plans for students who are possibly at an increased risk for suicide, if available on the ISBE's website pursuant to Ann Marie's Law.
4. Methods of responding to a student or staff suicide or suicide attempt. Implementation of this requirement shall incorporate building-level Student Support Committee(s) established through Board policy 7:250, *Student Support Services*.
 5. Reporting procedures. Implementation of this requirement shall incorporate Board policy 6:270, *Guidance and Counseling Program*, and Board policy 7:250, *Student Support Services*, in addition to other State and/or federal resources that address reporting procedures.
 6. A process to incorporate ISBE-recommend resources on youth suicide awareness and prevention programs, including current contact information for such programs in the District's Suicide and Depression Awareness and Prevention Program.

Illinois Suicide Prevention Strategic Planning Committee

The Superintendent or designee shall attempt to develop a relationship between the District and the Illinois Suicide Prevention Strategic Planning Committee, the Illinois Suicide Prevention Coalition Alliance, and/or a community mental health agency. The purpose of the relationship is to discuss how to incorporate the goals and objectives of the Illinois Suicide Prevention Strategic Plan into the District's Suicide Prevention and Depression Awareness Program.

Monitoring

The Board will review and update this policy pursuant to Ann Marie's Law and Board policy 2:240, *Board Policy Development*.

Information to Staff, Parents/Guardians, and Students

The Superintendent shall inform each school district employee about this policy and ensure its posting on the District's website. The Superintendent or designee shall provide a copy of this policy to the parent or legal guardian of each student enrolled in the District.

Implementation

This policy shall be implemented in a manner consistent with State and federal laws, including the Children's Mental Health Act of 2003, 405 ILCS 49/, Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/, and the Individuals with Disabilities Education Act, 42 U.S.C. §12101 et seq.

The District, Board, and its staff are protected from liability by the Local Governmental and Governmental Employees Tort Immunity Act. Services provided pursuant to this policy: (1) do not replace the care of a physician licensed to practice medicine in all of its branches or a licensed medical practitioner or professional trained in suicide prevention, assessments and counseling services, (2) are

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strictly limited to the available resources within the District, (3) do not extend beyond the school day and/or school-sponsored events, and (4) cannot guarantee or ensure the safety of a student or the student body.

LEGAL REF.: 105 ILCS 5/2-3.163, 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02b.
745 ILCS 10/.

CROSS REF.: 2:240 (Board Policy Development), 5:100 (Staff Development Program), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:120 (Education of Children with Disabilities), 6:270 (Guidance and Counseling Program), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:250 (Student Support Services)

Students

Administrative Procedure - Adolescent Suicide and Crisis Intervention

- I. Identification of the at-risk student:
 - A. An employee having any reason to believe a student is considering or threatening suicide is to contact the Building Principal and District social worker/counselor.
 - B. The social worker/counselor or Principal will meet with the student.
 - C. The social worker/counselor will call the student's parent(s)/guardian(s) and arrange a meeting.
 1. All calls and meetings with parent(s)/guardian(s) will be documented and a copy of the documentation sent by certified mail to the parent(s)/guardian(s).
 2. The social worker/counselor will suggest to the parent(s)/guardian(s) that the state or community mental health agency be contacted. This suggestion shall be a part of the documentation sent to the parent(s)/guardian(s).
 - D. An employee should immediately contact a student's parent(s)/guardian(s) anytime the employee reasonably believes the student is in imminent risk of suicide.
- II. Documentation regarding the at-risk student:
 - A. District employees shall take notes on any conversations which involve or relate to the at-risk student. The notes shall become a part of a written report to the Building Principal.
 - B. Conversations which involve or relate to the at-risk student shall be confirmed in writing with the other party(s).
 - C. The Superintendent shall receive a copy of all reports and documentation regarding the at-risk student.
 - D. The social worker/counselor shall prepare a report of the situation for the student's records.

Students

Extracurricular Athletics

Student participation in school-sponsored extracurricular athletic activities is contingent upon the following:

1. The student must meet the academic criteria set forth in Board policy 6:190, *Extracurricular and Co-Curricular Activities*.
2. A parent/guardian of the student must provide written permission for the student's participation, giving the District full waiver of responsibility of the risks involved.
3. The student must present a current certificate of physical fitness issued by a licensed physician, an advanced practice nurse, or a physician assistant. The ***Pre-Participation Physical Examination Form***, offered by the Illinois High School Association and the Illinois Elementary School Association, is the preferred certificate of physical fitness.
4. The student must show proof of accident insurance coverage either by a policy purchased through the District-approved insurance plan or a parent(s)/guardian(s) written statement that the student is covered under a family insurance plan.
5. The student must agree to follow all conduct rules and the coaches' instructions.
6. The student and his or her parent(s)/guardian(s) must provide written consent to random drug and alcohol testing pursuant to the Extracurricular Drug and Alcohol Testing Program.
7. The student and his or her parent(s)/guardian(s) must: (a) comply with the eligibility rules of, and complete any forms required by, any sponsoring association (such as, the Illinois Elementary School Association, the Illinois High School Association, or the Southern Illinois Junior High School Athletic Association), and (b) complete all forms required by the District including, without limitation, signing an acknowledgment of receiving information about the Board's concussion policy 7:305, *Student Athlete Concussions and Head Injuries*.

The Superintendent or designee (1) is authorized to impose additional requirements for a student to participate in extracurricular athletics, provided the requirement(s) comply with Board policy 7:10, *Equal Educational Opportunities*, and (2) shall maintain the necessary records to ensure student compliance with this policy.

LEGAL REF.: 105 ILCS 5/10-20.30, 5/10-20.54, 5/22-80, and 25/2.
23 Ill.Admin.Code §1.530(b).

CROSS REF.: 4:100 (Insurance Management), 4:170 (Safety), 6:190 (Extracurricular and Co-Curricular Activities), 7:10 (Equal Educational Opportunities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:305 (Student Athlete Concussions and Head Injuries), 7:340 (Student Records)

Students

Exhibit - Agreement to Participate

To be completed by the student-participant and submitted to the Principal

Student: _____

Sport or Activity: _____

In consideration of the Winthrop Harbor School District No. 1 permitting me to participate in the above sport or activity, I agree as follows:

1. I will abide by all conduct rules and will behave in a sportsmanlike manner.
2. I will follow the coach/sponsor's instructions, playing techniques, training schedule and safety rules for the above sport or activity.
3. I will have a current physical on file with the school (as of June 1st of the current year).
4. I acknowledge that I am aware that participation in the above sport or activity may involve **many risks of injury**. A serious injury may result in physical impairment or even death. I hereby assume all the risks associated with participation and agree to hold the Winthrop Harbor School District No. 1, its employees, agents, coaches, School Board members, and volunteers harmless from any and all liability, actions, causes of action, debts, claims, or demands of any kind and nature whatsoever which may arise by or in connection with my participation in the above activity or sport. The terms hereof shall serve as a release and assumption of risk for my heirs, estate, executor, administrator, assignees, and for all members of my family. ¹
5. I acknowledge that strict eligibility rules will be enforced. I understand that students who fail to do acceptable work in their academic courses or students who are a discipline problem in school will be removed from the athletic team in which he/she is participating.
6. I acknowledge that to participate in a practice session or game, that I must have been in attendance at school for at least half of the school day.
7. I acknowledge that rides to and from practice sessions and from North Prairie after games/matches will be the responsibility of the students and parents/guardians. Students who ride the bus to games MUST ride the bus back to North Prairie with the team. If an athlete must leave a game with a parent, prior arrangements must be made with the coach in writing.
8. I acknowledge that written consent and approval of parent/guardian is required before any student is allowed to participate.
9. I acknowledge that all students participating in the athletic program will be responsible for all equipment and uniforms issued to them. Equipment damaged or not returned by the end of the season will be paid for by the student.

Student Signature: _____

Parent/Guardian Signature: _____

Date: _____

¹ Schools should fully inform and warn of risks inherent in a sport and should assist the student-participants in understanding and appreciating these risks. The student-plaintiff in a well-known case involving the Seattle Public School District suffered a catastrophic injury by using his football helmet improperly as he was being tackled. He received a \$6.4 million award based on the jury's belief that the student had not been warned of the possibility of serious and permanent injury if he used his football helmet in an improper manner.

This sample form is loosely based on a form developed by the Seattle Public School District after the decision in that case. The form's waiver of liability and hold harmless language are most likely meaningless, but serve to alert the student and his/her parent(s)/guardian(s) to the seriousness of potential injuries and may discourage lawsuits.

Students

Exhibit – Certificate of Physical Fitness

_____ Student's Name	_____ Current Grade	_____ Date of Exam
eyes _____	lungs _____	
ears _____	hernia _____	
nose _____	feet/gait _____	
throat _____	scoliosis _____	
heart _____	other _____	

height _____	age/D.O.B _____
weight _____	blood pressure _____

This student is physically able to participate in the athletic program at North Prairie Junior High School, Winthrop Harbor, IL

yes	comments	_____
no	comments	_____

Physicians Signature

Students

Exhibit – Sports Physical

To be completed by a physician only after a physical examination and review of the "Certificate of Physical Fitness for Participation in Athletics" that accompanies this form.

Student's Name	Current Grade	Date of Exam
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eyes _____	lungs _____
------------	-------------

ears _____	hernia _____
------------	--------------

nose _____	feet/gait _____
------------	-----------------

throat _____	scoliosis _____
--------------	-----------------

heart _____	other _____
-------------	-------------

height _____	age/D.O.B _____
--------------	-----------------

weight _____	blood pressure _____
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This student is physically able to participate in the athletic program at North Prairie Junior High School, Winthrop Harbor, IL

yes comments _____

no comments _____

Physicians Signature

Students

Student Athlete Concussions and Head Injuries

The Superintendent or designee shall develop and implement a program to manage concussions and head injuries suffered by students. The program shall:

1. Fully implement the Youth Sports Concussion Safety Act, that provides, without limitation, each of the following:
 - a. The Board must appoint or approve members of a Concussion Oversight Team for the District.
 - b. The Concussion Oversight Team shall establish each of the following based on peer-reviewed scientific evidence consistent with guidelines from the Centers for Disease Control and Prevention:
 - i. A return-to-play protocol governing a student's return to interscholastic athletics practice or competition following a force of impact believed to have caused a concussion. The Superintendent or designee shall supervise an athletic trainer or other person responsible for compliance with the return-to-play protocol.
 - ii. A return-to-learn protocol governing a student's return to the classroom following a force of impact believed to have caused a concussion. The Superintendent or designee shall supervise the person responsible for compliance with the return-to-learn protocol.
 - c. Each student and the student's parent/guardian shall be required to sign a concussion information receipt form each school year before participating in an interscholastic athletic activity.
 - d. A student shall be removed from an interscholastic athletic practice or competition immediately if any of the following individuals believes that the student sustained a concussion during the practice and/or competition: a coach, a physician, a game official, an athletic trainer, the student's parent/guardian, the student, or any other person deemed appropriate under the return-to-play protocol.
 - e. A student who was removed from interscholastic athletic practice or competition shall be allowed to return only after all statutory prerequisites are completed, including without limitation, the return-to-play and return-to-learn protocols developed by the Concussion Oversight Team. An athletic team coach or assistant coach may not authorize a student's return-to-play or return-to-learn.
 - f. The following individuals must complete concussion training as specified in the Youth Sports Concussion Safety Act: all coaches or assistant coaches (whether volunteer or a district employee) of interscholastic athletic activities; nurses who serve on the Concussion Oversight Team; athletic trainers; game officials of interscholastic athletic activities; and physicians who serve on the Concussion Oversight Team.
 - g. The Board shall approve school-specific emergency action plans for interscholastic athletic activities to address the serious injuries and acute medical conditions in which a student's condition may deteriorate rapidly.

2. Comply with the concussion protocols, policies, and by-laws of the Illinois High School Association, including its *Protocol for Implementation of NFHS Sports Playing Rules for Concussion* which includes its *Return to Play (RTP) Policy*. These specifically require that:
 - a. A student athlete who exhibits signs, symptoms, or behaviors consistent with a concussion in a practice or game shall be removed from participation or competition at that time.
 - b. A student athlete who has been removed from an interscholastic contest for a possible concussion or head injury may not return to that contest unless cleared to do so by a physician licensed to practice medicine in all its branches in Illinois or a certified athletic trainer.
 - c. If not cleared to return to that contest, a student athlete may not return to play or practice until the student athlete has provided his or her school with written clearance from a physician licensed to practice medicine in all its branches in Illinois or a certified athletic trainer working in conjunction with a physician licensed to practice medicine in all its branches in Illinois.
3. Require that all high school coaching personnel, including the head and assistant coaches, and athletic directors obtain online concussion certification by completing online concussion awareness training in accordance with 105 ILCS 25/1.15.
4. Require all student athletes to view the Illinois High School Association's video about concussions.
5. Inform student athletes and their parents/guardians about this policy in the *Agreement to Participate* or other written instrument that a student athlete and his or her parent/guardian must sign before the student is allowed to participate in a practice or interscholastic competition.
6. Provide coaches and student athletes and their parents/guardians with educational materials from the Illinois High School Association regarding the nature and risk of concussions and head injuries, including the risks inherent in continuing to play after a concussion or head injury.
7. Include a requirement for staff members to notify the parent/guardian of a student who exhibits symptoms consistent with that of a concussion.
8. Include a requirement for certified athletic trainers to complete and submit a monthly report to the Illinois High School Association on student-athletes who have sustained a concussion during: 1) a school-sponsored activity overseen by the athletic trainer; or 2) a school-sponsored event of which the athletic director is made aware.

LEGAL REF.: 105 ILCS 5/10-20.54.
105 ILCS 5/22-80 added by P.A. 99-245; if approved by the House and signed by the Governor, SB219 will extend the effective date to the 2016-2017 school year.
105 ILCS 25/1.15.

CROSS REF.: 4:170 (Safety), 7:300 (Extracurricular Athletics)

Students

Restrictions on Publications; Elementary Schools

School-Sponsored Publications and Websites

School-sponsored publications, productions, and web sites are part of the curriculum and are not a public forum for general student use. School authorities may edit or delete material that is inconsistent with the District's educational mission.

All school-sponsored communications shall comply with the ethics and rules of responsible journalism. Text that is libelous, obscene, vulgar, lewd, invades the privacy of others, conflicts with the basic educational mission of the school, is socially inappropriate, is inappropriate due to the maturity of the students, or is materially disruptive to the educational process will not be tolerated.

The author's name will accompany personal opinions and editorial statements. An opportunity for the expression of differing opinions from those published/produced will be provided within the same media.

Non-School-Sponsored Publications and Websites

For purposes of this section and the following section, a publication includes, without limitation: (1) written or electronic print material, (2) audio-visual material, on any medium including electromagnetic media (e.g., images, MP3 files, flash memory, etc.), or combinations of these whether off-line (e.g., a printed book, CD-ROM, etc.) or online (e.g., any website, social networking site, database for information retrieval, etc.), or (3) information or material on electronic devices (e.g., data or voice messages delivered by cell phones, tablets, and other hand-held devices).

Students are prohibited from accessing and/or distributing at school any written or electronic material, including material from the Internet:

1. That will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities;
2. That violates the rights of others, including but not limited to material that is libelous, invades the privacy of others, or infringes on a copyright;
3. That is socially inappropriate or inappropriate due to maturity level of the students, including but not limited to material that is obscene, pornographic, or pervasive, lewd and vulgar, or contains indecent and vulgar language;
4. That is primarily intended for the immediate solicitation of funds.

The distribution of non-school-sponsored written material shall occur at a time and place and in a manner that will not cause disruption, be coercive, or result in the perception that the distribution or the material is endorsed by the School District.

Accessing or distributing "at school" includes accessing or distributing on school property or at school-related activities. A student engages in gross disobedience and misconduct and may be disciplined for: (1) accessing or distributing forbidden material, or (2) for writing, creating, or publishing such material intending for it to be accessed or distributed at school.

Bullying and Cyberbullying

The Superintendent or designee shall treat behavior that is bullying and/or cyberbullying according to Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy.

LEGAL REF.: 105 ILCS 5/27-23.7
Hazelwood v. Kuhlmeier, 108 S.Ct. 562 (1988).
Hedges v. Wauconda Community Unit School Dist. No. 118, 9 F.3d
1295 (7th Cir. 1993).

CROSS REF.: 6:235 (Access to Electronic Networks)

Students

Administrative Procedure – Guidelines for Student Distribution of Non-School Sponsored Publications

A student or group of students seeking to distribute more than ten copies of the same material on one or more days to students must comply with the following guidelines:

1. The student(s) must notify the Building Principal of the intent to distribute, in writing, at least 24 hours before distributing the material. No prior approval of the material is required.
2. The material may be distributed at times and locations selected by the Building Principal, such as, before the beginning or ending of classes at a central location inside the building.
3. The Building Principal may impose additional requirements whenever necessary to prevent disruption, congestion, or the perception that the material is school-endorsed.
4. Distribution must be done in an orderly and peaceful manner, and may not be coercive.
5. The distribution must be conducted in a manner that does not cause additional work for school personnel. Students who distribute material are responsible for cleaning up any materials left on school grounds.
6. Students must not distribute material that:
 - a. Will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities;
 - b. Violates the rights of others, including but not limited to, material that is libelous, slanderous or obscene, or invades the privacy of others, or infringes on a copyright;
 - c. Is socially inappropriate or inappropriate due to the students' maturity level, including but not limited to, material that is obscene, pornographic, or pervasively lewd and vulgar, contains indecent and vulgar language, or *sexting* as defined by School Board policy and Student Handbooks;
 - d. Is reasonably viewed as promoting illegal drug use;
 - e. Is distributed in kindergarten through eighth grade and is primarily prepared by non-students, unless it is being used for school purposes. However, material from outside sources or the citation to such sources may be allowed, as long as the material to be distributed or accessed is primarily prepared by students; or
 - f. Incites students to violate any Board policy.
7. A student may use School Board policy 2:260, *Uniform Grievance Procedure*, to resolve a complaint.
8. Whenever these guidelines require written notification, the appropriate administrator may assist the student in preparing such notification.

A student or group of students seeking to distribute 10 or fewer copies of the same publication on one or more days to students must distribute such material at times and places and in a

manner that will not cause substantial disruption of the proper and orderly operation and discipline of the school or school activities and in compliance with paragraphs 4, 5, 6, and 7.

LEGAL REF.: Speech Rights of Student Journalists Act, 105 ILCS 80/.
 Hazelwood v. Kuhlmeier, 108 S.Ct. 562 (1988).
 Hedges v. Wauconda Community Unit School Dist. No. 118, 9 F.3d
 1295 (7th Cir. 1993).
 Tinker v. Des Moines Indep. Cmty. Sch. Dist., 89 S.Ct. 733 (1969).

Students

Student Fundraising Activities

No individual or organization is allowed to ask students to participate in fundraising activities while the students are on school grounds during school hours or during any school activity.

Exceptions are:

1. School-sponsored student organizations; and
2. Parent organizations and booster clubs that are recognized pursuant to policy 8:90, *Parent Organizations and Booster Clubs*.

The Superintendent or designee shall manage student fundraising activities in alignment with the following directives:

1. Fundraising efforts shall not conflict with instructional activities or programs.
2. For any school that participates in the School Breakfast Program or the National School Lunch Program, fundraising activities involving the sale of food and beverage items to students during the school day while on the school campus must comply with the Ill. State Board of Education rules concerning the sale of competitive food and beverage items.
3. Participation in fundraising efforts must be voluntary.
4. Student safety must be paramount.
5. For school-sponsored student organizations, a school staff member must supervise the fundraising activities and the student activity funds treasurer must safeguard the financial accounts.
6. The fundraising efforts must be to support the organization's purposes and/or activities, the general welfare, a charitable cause, or the educational experiences of students generally.
7. The funds shall be used to the maximum extent possible for the designated purpose.
8. Any fundraising efforts that solicit donor messages for incorporation into school property (e.g., tiles or bricks) or placement upon school property (e.g., posters or placards) must:
 - a. Develop viewpoint neutral guidelines for the creation of messages;
 - b. Inform potential donors that all messages are subject to review and approval, and that messages that do not meet the established guidelines must be resubmitted or the donation will be returned; and
 - c. Place a disclaimer on all fundraising information and near the completed donor messages that all messages are "solely the expression of the individual donors and not an endorsement by the District of any message's content."

LEGAL REF.: 105 ILCS 5/10-20.19(3).
23 Ill.Admin.Code Part 305, School Food Service.

CROSS REF.: 4:90 (Activity Funds), 4:120 (Food Services), 8:80 (Gifts to the District),
8:90 (Parent Organizations and Booster Clubs)

Describe how frequently revenue and expense reports will be prepared?

- Monthly
- Quarterly
- At the End of the Fundraiser
- Use District Accounting System (monthly reporting)

Parent organizations and booster clubs are governed by Board policy 8:90, *Parent Organizations and Booster Clubs*.

Is the organization prepared to abide by this policy? _____

- Not applicable – activity is not being proposed by a school-sponsored organization.

The funds must be used to the maximum extent possible for the designated purpose.

Is this agreeable? _____

I agree to abide by the conditions stated in this application and agree to adhere to all Board policies and administrative procedures.

Applicant Name (please print)

Phone Number

Street Address

City & State

Applicant Signature

Date

The Building Principal will base his or her decision on the information being provided in this form as well as other criteria deemed important. *(Note to Building Principal: after approving or denying this application, return a copy of it to the person making the request, send the original to the Superintendent, and retain a copy at the School.)*

- Approved**
- Denied**

Building Principal or designee

Date

Students

Student Use of Buildings - Equal Access 1 2

Student groups, clubs, or organizations that are not school sponsored or directed may meet on school premises provided their meeting fulfills all of the following conditions: 3

1. The meeting is held during those noninstructional times identified by the Superintendent or designee for noncurricular student groups, clubs, or organizations to meet. "Noninstructional time" means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends. "Noncurricular student groups" are those student groups, clubs, or organizations that do not directly relate to the curriculum. 4
2. The meeting is student-initiated, meaning that the request is made by a student(s).
3. Attendance at the meeting is voluntary.
4. The school will not sponsor the meeting.

¹ State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled.

² This sample policy should be adopted by districts with secondary school(s) that wish to establish or already have a "limited open forum" as that term is defined in the Equal Access Act and quoted below.

The Equal Access Act requires a secondary school to grant fair opportunity or "equal access" to students who wish to conduct a meeting within a *limited open forum* without regard to the religious, political, philosophical, or other content of the speech at such a meeting (emphasis added). A secondary school has a *limited open forum* whenever it "grants an offering to or opportunity for one or more noncurriculum related student groups to meet on school premises during noninstructional time." (20 U.S.C. §4071(a)). Thus, the Act's equal access obligation is triggered even if a school allows only one "noncurriculum related" group to meet.

The Equal Access Act's requirements may be avoided by closing the forum, i.e., by refusing to permit any noncurriculum related groups to use its facilities (thereby creating a closed forum). Creating a closed forum is difficult, however, because of the very expansive interpretation given "noncurriculum related" by the U.S. Supreme Court.

"Noncurriculum related student group" is any student group that does not directly relate to the body of courses offered by the school. Board of Education of Westside Community School Dist. v. Mergens, 110 S.Ct. 2356 (1990). School officials cannot avoid triggering the Act's equal access requirements by tying the purposes of the student clubs it wants to allow to some broadly defined educational goal. Likewise, it does not matter whether the school sponsors, recognizes, or supports the student group – the Act's equal access requirements will be triggered whenever any student group is allowed to meet that is unrelated to the curriculum. Conversely, the Mergens Court said that a student group directly relates to a school's curriculum only if:

1. The group's subject matter is actually taught, or will soon be taught, in a regularly offered course;
2. The group's subject matter concerns a body of courses as a whole; or
3. Participation in the group is required for a particular course or results in academic credit.

Determining whether a particular student group is "noncurriculum related" is a very fact-sensitive inquiry.

A school violates the Equal Access Act by allowing some student groups to meet on campus but refusing similar access to gay-lesbian clubs. Colin v. Orange Unified School Dist., 83 F.Supp.2d 1135 (C.D. Cal. 2000). Note the U.S. Supreme Court refused to apply N.J.'s public accommodation law to the Boy Scouts because forcing the Boy Scouts to accept a homosexual as a member would violate the Scouts' freedom of expressive association. Boy Scouts of America v. Dale, 120 S.Ct. 2093 (2000).

³ All of the listed conditions are from the Equal Access Act, except for #9 and #10.

⁴ 20 U.S.C. §4072.

5. School employees are present at religious meetings only in a non-participatory capacity unless they specify a desire to exercise their First Amendment rights as private citizens to the superintendent prior to their full participation in the meeting. ⁵
6. The meeting and/or any activities during the meeting do not materially or substantially interfere with the orderly conduct of educational activities. ⁶
7. Non-school persons do not direct, conduct, control, or regularly attend the meetings. ⁷
8. The school retains its authority to maintain order and discipline. ⁶
9. All noncurriculum related student groups that are not District sponsored receive substantially the same treatment. ⁷
10. The Superintendent or designee approves the meeting or series of meetings; the building principal approves the use of the building.

The Superintendent or designee shall develop administrative procedures to implement this policy.

LEGAL REF.: Equal Access Act, 20 U.S.C. §4071 et seq.
Board of Education of Westside Community School Dist. v. Mergens, 496 U.S. 226, 110 S.Ct. 2356, 110 L.Ed.2d 191 (1990).
Gernetzke v. Kenosha Unified School Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), cert. denied, 122 S.Ct. 1606.

CROSS REF.: 7:10 (Equal Education Opportunities), 8:20 (Community Use of School), 8:20 AP (Building Use Procedure)

⁵ School employees may be passive supervisors but may not be active participants in student religious organizations without raising establishment issues for the school district; however, if an employee provides notice to the superintendent that this district practice constitutes an infringement on their First Amendment rights, full participation in a religious meeting will be granted. Wigg v. Sioux Falls School District 49-5, 382 F.3d 807 (8th Cir. 2004) held that a public school teacher has the First Amendment right to participate in after-school meetings of religious clubs, thereby rejecting the school district's argument that the Establishment Clause prohibited her actions.

⁶ In response to a school's invitation for all student groups to paint murals in the school hallway, a Bible club sought to include a large cross. The school principal forbid the cross in order to avoid conflicts among students – there was evidence the student body contained Satanic and neo-Nazi adherents. The principal's decision was insulated from liability under the Equal Access Act by the Act's provision that "nothing in [the Act] shall be construed to limit the authority of the school ... to maintain order and discipline on school premises." Gernetzke v. Kenosha Unified School Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), cert. denied, 122 S.Ct. 1606.

⁷ The Ninth Circuit Court of Appeals found that a school district violated the Equal Access Act and the student's First Amendment rights by denying her Bible club the same rights and benefits as other student clubs. Prince v. Jacoby, 303 F.3d 1074 (9th Cir. 2002). Nothing in the decision suggests that the school was required to "sponsor" the Bible club and financially support it. However, the board voluntarily gave "associated student body" clubs certain benefits that were denied the plaintiff's religious club. Thus, the district unlawfully treated one noncurriculum related student club differently from another noncurriculum related student club.

Students

Administrative Procedure - Student Use of Buildings and Equal Access

Student clubs and student groups that are not school-sponsored may meet on school premises under the following conditions:

1. The meeting must be student-initiated, meaning that a request to use school premises is made by a student(s).
2. The meeting occurs during a limited open forum, meaning that the meeting must occur during the time the school grants noncurriculum related student groups an opportunity to meet on school premises during noninstructional time.
3. In scheduling the use of school premises, activities associated with the District educational program have priority over the activities of any other organization. Otherwise, school premises will be available on a first come first served basis.
4. The following times and locations are available for noncurricular student group meetings: ¹

Times:

TBA

Location:

TBA

5. The assigned room and its contents must be restored to its original condition and configuration after each use. Only modular furniture may be moved. Nothing shall be adhered or affixed to walls that will leave marks. Any decorations used shall be removed after the meeting. The contents of any assigned room are the property of the School District or teacher and shall not be handled or removed.
6. No activity is allowed on school grounds that would violate the student disciplinary policy. Any student who engages in misconduct is subject to disciplinary action, including suspension and expulsion.
7. The following mediums are available on request to announce group meetings: ²
 - Office bulletin board containing announcements
 - Public address system
 - School Newsletters
 - School or District Website
8. The student who requested the use of a school facility must inform the school office of any non-school individual who may be attending the meeting and the purpose of his or her attendance. All visitors must register at the school office before proceeding to any scheduled student meeting. Non-school individuals may not regularly attend meetings.
9. Any student desiring to hold a student meeting on school premises must submit a completed Request Form for Noncurricular Student Groups to Use School Facilities to the Building Principal. The request should be made at least one week in advance.

¹ This should be locally determined. Be sure, however, that all non-curricular student groups have an equal opportunity for access to school facilities whenever the school grants an offering or opportunity for one or more noncurriculum related student groups to meet on school premises during "noninstructional time." 20 U.S.C. § 4071(b).

² This should be locally determined.

Students

Exhibit - Request Form for Noncurricular Student Groups to Use School Facilities

Student groups are expected to return the room(s), including furniture, to its original condition and configuration after each use. The contents of assigned room(s) are the private property of the School District. Before any meeting, the requesting student must give the office the name of anyone attending the meeting who is neither a student nor a school staff member. When a copy of this form is returned to you with the necessary approval signatures, your group may begin its activities.

Return this form to the Building Principal for approval

Student's Name:		
Group's Name:		
Description/Purpose of Activity:		
Will non-school individuals direct, conduct, control, or regularly attend meetings?	<input type="checkbox"/> No <input type="checkbox"/> Yes	
Will decorations be used?	<input type="checkbox"/> No <input type="checkbox"/> Yes; how will they be affixed?	
Materials to be brought into/near building: (be specific)	Material: Purpose:	
Activity Date(s):	Start Time:	End Time:
How will students attending the meeting(s) be made aware that student discipline rules apply during the meeting and at all times while they are on school property?	<input type="checkbox"/> They will be told by the student signing this form. <input type="checkbox"/> They will receive a written explanation. <input type="checkbox"/> Other: _____	
<i>By signing this form, you agree to comply with the School District's policy and procedure on student use of school facilities.</i>		
Student's Signature:	Date:	

OFFICE USE ONLY

Date Request Received:	Date Approved:
Received By:	Approved By:
Room(s) Assigned:	Approval Signature:
Student's identification was verified by:	

Students

Student Records

School student records are confidential and information from them shall not be released other than as provided by law. A school student record is any writing or other recorded information concerning a student and by which a student may be identified individually that is maintained by a school or a school employee, except as provided in State or federal law.

State and federal law grants students and parent(s)/guardian(s) certain rights, including the right to inspect, copy, and challenge school student records. The information contained in school student records shall be kept current, accurate, clear and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child. The District may release directory information as permitted by law, but parent(s)/guardian(s) shall have the right to object to the release of information regarding their child. However, the District will comply with an ex parte court order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to, or the consent of, the students' parent(s)/guardian(s).

The Superintendent shall fully implement this policy and designate an official Records Custodian for each school who shall maintain and protect the confidentiality of school student records, inform staff members of this policy in the District 1 Staff Handbook, and inform students and their parent(s)/guardian(s) of their rights regarding school student records, in the District 1 Handbook.

Student Biometric Information Collection

The Superintendent or designee may recommend a student biometric information collection system solely for the purposes of identification and fraud prevention. Such recommendation shall be consistent with budget requirements and in compliance with State law. Biometric information means any information that is collected through an identification process for individuals based on their unique behavioral or physiological characteristics, including fingerprint, hand geometry, voice, or facial recognition or iris or retinal scans.

Before collecting student biometric information, the District shall obtain written permission from the person having legal custody or the student (if over the age of 18). Upon a student's 18th birthday, the District shall obtain written permission from the student to collect student biometric information. Failure to provide written consent to collect biometric information shall not be the basis for refusal of any services otherwise available to a student.

All collected biometric information shall be stored and transmitted in a manner that protects it from disclosure. Sale, lease, or other disclosure of biometric information to another person or entity is strictly prohibited.

The District will discontinue use of a student's biometric information and destroy all collected biometric information within 30 days after: (1) the student graduates or withdraws from the School District, or (2) the District receives a written request to discontinue use of biometric information from the person having legal custody of the student or the student (if over the

age of 18). Requests to discontinue using a student's biometric information shall be forwarded to the Superintendent or designee.

The Superintendent or designee shall develop procedures to implement this policy consistent with State and federal law.

- LEGAL REF.: Chicago Tribune Co. v. Chicago Bd. of Ed., 773 N.E.2d 674 (Ill.App.1, 2002).
Owasso I.S.D. No. I-011 v. Falvo, 122 S.Ct. 934 (2002).
Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99.
Children's Privacy Protection and Parental Empowerment Act, 325 ILCS 17
105 ILCS 5/10-20.21b, 20.37, 20.40, 5/14-1.01 et seq., and 10
50 ILCS 205/7.
23 Ill.Admin.Code Parts 226 and 375.
- CROSS REF.: 5:100 (Staff Development Program), 5:130 (Responsibilities Concerning Internal Information), 7:15 (Student and Family Privacy Rights), 7:220 (Bus Conduct)
- ADMIN PROC.: 7:15-E (Notification to Parents of Family Privacy Rights), 7:340-AP1 (School Student Records), 7:340-AP1, E1 (Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records), 7:340-AP1, E3 (Letter to Parents Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information), 7:340-AP2 (Storage and Destruction of School Student Records), 7:340-AP2, E1 (Schedule for Destruction of School Student Records)

Students

Administrative Procedure - Student Records

Student Records Defined

A student record is any record that contains personally identifiable information or other information that would link the document to an individual student if it is maintained by the District, except records kept: (1) in a school staff member's sole possession destroyed not later than the student's graduation or permanent withdrawal, and not accessible or revealed to any other person except a temporary substitute teacher, or (2) by law enforcement officials working in the school.

Maintenance of School Student Records

The District maintains two types of school records for each student: a *permanent* record and a *temporary* record.

The *permanent record* shall include:

- Basic identifying information, including the student's name and address, birth date and place, gender, and the names and addresses of the student's parent(s)/guardian(s)
- Academic transcripts, including grades, class rank, graduation date, grade level achieved, and scores on college entrance examinations
- Attendance record
- Accident and health reports
- Record of release of permanent record information in accordance with 105 ILCS 10/6(c)
- Scores received on all State assessment tests administered at the high school level (that is, grades 9 through 12)

The *permanent record* may include:

- Honors and awards received
- School-sponsored activities and athletics

No other information shall be kept in the permanent record. The permanent record shall be maintained for at least 60 years after the student graduated, withdrew, or transferred.

All information not required to be kept in the student permanent record is kept in the student *temporary record* and must include:

- A record of release of temporary record information in accordance with 105 ILCS 10/6(c)
- Scores received on the State assessment tests administered in the elementary grade levels (that is, kindergarten through grade 8)
- Information regarding serious infractions (that is, those involving drugs, weapons, or bodily harm to another) that resulted in expulsion, suspension, or the imposition of punishment or sanction
- Information provided under the Abused and Neglected Child Reporting Act (325 ILCS 5/8.6), including any final finding report received from a Child Protective Service Unit
- Completed home language survey

The *temporary record* may include:

Family background information
Intelligence test scores, group and individual
Aptitude test scores
Reports of psychological evaluations, including information on intelligence, personality and academic information obtained through test administration, observation, or interviews
Elementary and secondary achievement level test results
Participation in extracurricular activities, including any offices held in school-sponsored clubs or organizations
Honors and awards received
Teacher anecdotal records
Other disciplinary information
Special education files, including the report of the multidisciplinary staffing on which placement or nonplacement was based, and all records and tape recordings relating to special education placement hearings and appeals
Verified reports or information from non-educational persons, agencies, or organizations
Verified information of clear relevance to the student's education

Information in the temporary record will indicate authorship and the date it was added to the record. The District will maintain the student's temporary record for at least 5 years after the student transferred, graduated, or permanently withdrew. Temporary records that may be of assistance to a student with disabilities who graduates or permanently withdraws, may, after 5 years, be transferred to the parent(s)/guardian(s) or to the student, if the student has succeeded to the rights of the parent(s)/guardian(s).

The Building Principal is the records custodian for his or her respective building and is responsible for the maintenance, care, and security of a student's permanent or temporary records. Upon a student's graduation, transfer, or permanent withdrawal, the Building Principal or designee shall notify the parent(s)/guardian(s) and the student when the student's permanent and temporary school records are scheduled to be destroyed and of their right to request a copy. Before any school student record is destroyed or information deleted therefrom, the parent/guardian must be given reasonable prior notice at his or her last known address and an opportunity to copy the record and information proposed to be destroyed or deleted. Student records shall be reviewed at least every 4 years, or upon a student's change in attendance centers, whichever occurs first, to verify entries and correct inaccurate information.

The District uses students' Social Security numbers for intra-school identification purposes, if at all. However, school officials may not require students or their parents/guardians to provide them. Absent a court order or subpoena, school officials do not provide educational records to the Immigration and Naturalization Service.

Access to Student Records

The District shall grant access to student records as follows:

1. Neither the District nor any of its employees shall release, disclose, or grant access to information found in any student record except under the conditions set forth in the Illinois School Student Records Act.

2. The parent(s)/guardian(s) of a student under 18 years of age, or designee, shall be entitled to inspect and copy information in the child's school records; a student less than 18 years old may inspect or copy information in the student's permanent school record. Such requests shall be made in writing and directed to the Building Principal. Access to the records shall be granted within 15 days of the District's receipt of such a request.

Where the parents/guardians are divorced or separated, both shall be permitted to inspect and copy the student's school records unless the District has actual notice of a court order indicating otherwise. The District shall send copies of the following to both parents/guardians at either's request, unless the District has actual notice of a court order indicating otherwise:

- a. Academic progress reports or records;
- b. Health reports;
- c. Notices of parent-teacher conferences;
- d. School calendars distributed to parents/guardians; and
- e. Notices about open houses, graduations, and other major school events including pupil-parent/guardian interaction.

When the student reaches 18 years of age, graduates from high school, marries, or enters military service all rights and privileges accorded to parent(s)/guardian(s) become exclusively those of the student.

Access shall not be granted the parent(s)/guardian(s) or the student to confidential letters and recommendations concerning the admission to a post-secondary educational institution, applications for employment or the receipt of an honor or award which were placed in the records prior to January 1, 1975, provided such letters and statements are not used for purposes other than those for which they were specifically intended. Access shall not be granted to such letters and statements entered into the record at any time if the student has waived his or her right of access after being advised of his or her right to obtain the names of all persons making such confidential letters and statements.

3. The District may grant access to, or release information from, student records without parental/guardian consent or notification to District employees or officials or the Illinois State Board of Education, provided a current, demonstrable, educational or administrative need is shown. Access in such cases is limited to the satisfaction of that need.
4. The District may grant access to, or release information from, student records without parental/guardian consent or notification to any person for the purpose of research, statistical reporting, or planning, provided that no student or parent(s)/guardian(s) can be identified from the information released, and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records.
5. The District shall grant access to, or release information from, a student's records pursuant to a court order, provided that the parent(s)/guardian(s) shall be given prompt written notice of such order's terms, the nature and substance of the

information proposed to be released, and an opportunity to inspect and copy such records and to challenge their contents. However, the District will comply with an *ex parte* court order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to or the consent of the student's parent(s)/guardian(s).

6. The District shall grant access to, or release information from, any student record as specifically required by federal or State statute.
7. The District shall grant access to, or release information from, student records to any person possessing a written, dated consent, signed by the parent(s)/guardian(s) or eligible student stating to whom the records may be released, the information or record to be released, and the reason for the release. One copy of the consent form will be kept in the records and one copy is mailed to the parent(s)/guardian(s) or eligible student by the Superintendent. Whenever the District requests the consent to release certain records, the Building Principal shall inform the parent(s)/guardian(s) or eligible student of the right to limit such consent to specific portions of information in the records.
8. The District may release student records to the Building Principal of another Illinois school, or an official with similar responsibilities in a non-Illinois school, in which the student has enrolled or intends to enroll, upon written request from such official.
9. Prior to the release of any records, or information under items 6 and 8 above, the District shall provide prompt written notice to the parent(s)/guardian(s) or eligible student of this intended action. This notification shall include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents. If the release is under 6 above and relates to more than 25 students, a notice published in the newspaper is sufficient.
10. The District may release student records, or information in connection with an emergency without parental consent if the knowledge of such information is necessary to protect the health or safety of the student or other persons. The Building Principal shall make this decision taking into consideration the nature of the emergency, the seriousness of the threat to the health or safety of the student or other persons, the need for such records to meet the emergency, and whether the persons to whom such records are released are in a position to deal with the emergency. The District shall notify the parent(s)/guardian(s) or eligible student as soon as possible of the information released, the date of the release, the person, agency or organization to whom the release was made, and the purpose of the release.
11. The District shall grant access to, or release information from student records to juvenile authorities when necessary for the discharge of their official duties upon their request before the student's adjudication, provided they certify in writing that the information will not be disclosed to any other party except as provided under law or order of court. "Juvenile authorities" means: (a) a circuit court judge and court staff members designated by the judge; (b) parties to the proceedings under the Juvenile Court Act of 1987 and their attorneys; (c) probation officers and court appointed advocates for the juvenile authorized by the judge hearing the case; (d) any

individual, public or private agency having court-ordered custody of the child; (e) any individual, public or private agency providing education, medical or mental health service to the child when the requested information is needed to determine the appropriate service or treatment for the minor; (f) any potential placement provider when such release is authorized by the court to determine the appropriateness of the potential placement; (g) law enforcement officers and prosecutors; (h) adult and juvenile prisoner review boards; (i) authorized military personnel; and (j) individuals authorized by court.

12. The District shall grant access to, or release information from student records, to a SHOCAP (Serious Habitual Offender Comprehensive Action Program) committee member, provided that:
 - a. The committee member is a State or local official or authority,
 - b. The disclosure concerns the juvenile justice system's ability to effectively serve, prior to adjudication, the student whose records are to be released and the official or authority certifies in writing that the records will not be disclosed to any other party except as provided under State law without the prior written consent of the student's parent(s)/guardian(s),
 - c. The disclosure's purpose is limited to identifying serious habitual juvenile offenders and matching those offenders with community resources pursuant to Section 5-145 of the Juvenile Court Act of 1987, and
 - d. The release, transfer, disclosure, or dissemination consistent with the Family Educational Rights and Privacy Act.
13. Upon their request, military recruiters and institutions of higher learning shall have access to secondary students names, addresses, and telephone listings, unless an objection is made by the student's parent(s)/guardian(s). The Building Principal or designee shall notify parents/guardians that they may make this objection.
14. The District charges \$.35 per page for copying information from a student's records. No parent(s)/guardian(s) or student shall be precluded from copying information because of financial hardship.
15. Except as provided below, a record of all releases of information from student records (including all instances of access granted whether or not records were copied) shall be kept and maintained as part of such records. This record shall be maintained for the life of the student record and shall be accessible only to the parent(s)/guardian(s) or eligible student, Building Principal, or other person. The record of release shall include:
 - a. Information released or made accessible.
 - b. The name and signature of the Building Principal.
 - c. The name and position of the person obtaining the release or access.
 - d. The date of the release or grant of access.
 - e. A copy of any consent to such release.

No record of a disclosure is maintained when records are disclosed according to the terms of an *ex parte* court order.

Orders of Protection

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

Directory Information

The District may release certain directory information regarding students, except that a student's parent(s)/guardian(s) may prohibit the release of the student's directory information. Directory information is limited to:

- Name
- Address
- Gender
- Grade level
- Birth date and place
- Parents'/guardians' names and addresses
- Academic awards, degrees, and honors
- Information in relation to school-sponsored activities, organizations, and athletics
- Major field of study
- Period of attendance in school

The notification to parents/guardians and students concerning school records will inform them of their right to object to the release of directory information.

Student Record Challenges

The parents/guardians may challenge the accuracy, relevancy, or propriety of their student's school records. However when the student's school records are being forwarded to another school, no challenge may be made to grades or references to expulsions or out-of-school suspensions. The parents/guardians have the right to request a hearing at which each party has the right to:

1. Present evidence and to call witnesses;
2. Cross-examine witnesses;
3. Counsel;
4. A written statement of any decision and the reasons therefore; and
5. Appeal an adverse decision to an administrative tribunal or official to be established or designated by the State Board.

The parent(s)/guardian(s) may insert a written statement of reasonable length describing their position on disputed information. The school will include a copy of the statement in any release of the information in dispute.

LEGAL REF.: 20 U.S.C. §1232(g)(j).
Owasso I.S.D. No. I-011 v. Falvo, 122 S.Ct. 934 (2002).
Chicago Tribune Co. v. Chicago Bd. of Ed., 773 N.E.2d 674 (Ill.App.1,
2002).
Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R.
Part 99.
105 ILCS 5/10-21.8 and 10/1 et seq.
23 Ill.Admin.Code §375.

Students

Exhibit - Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records

This notification may be distributed by any means likely to reach the parents/guardians.

The District maintains two types of school records for each student: *permanent* record and *temporary* record. These records may be integrated.

The *permanent record* shall include:

- Basic identifying information, including the student's name and address, birth date and place, gender, and the names and addresses of the student's parent(s)/guardian(s)
- Academic transcripts, including grades, class rank, graduation date, grade level achieved, and scores on college entrance examinations
- Attendance record
- Accident and health reports
- Record of release of permanent record information in accordance with 105 ILCS 10/6(c)
- Scores received on all State assessment tests administered at the high school level (that is, grades 9 through 12)

The *permanent record* may include:

- Honors and awards received
- School-sponsored activities and athletics

No other information shall be kept in the permanent record. The permanent record shall be maintained for at least 60 years after the student graduated, withdrew, or transferred.

All information not required to be kept in the student permanent record is kept in the student *temporary record* and must include:

- A record of release of temporary record information in accordance with 105 ILCS 10/6(c)
- Scores received on the State assessment tests administered in the elementary grade levels (that is, kindergarten through grade 8)
- Information regarding serious infractions (that is, those involving drugs, weapons, or bodily harm to another) that resulted in expulsion, suspension, or the imposition of punishment or sanction
- Information provided under the Abused and Neglected Child Reporting Act (325 ILCS 5/8.6), including any final finding report received from a Child Protective Service Unit
- Completed home language survey

The *temporary record* may include:

- Family background information
- Intelligence test scores, group and individual
- Aptitude test scores
- Reports of psychological evaluations, including information on intelligence, personality and academic information obtained through test administration, observation, or interviews
- Elementary and secondary achievement level test results

Participation in extracurricular activities, including any offices held in school-sponsored clubs or organizations
Honors and awards received
Teacher anecdotal records
Other disciplinary information
Special education files, including the report of the multidisciplinary staffing on which placement or nonplacement was based, and all records and tape recordings relating to special education placement hearings and appeals
Verified reports or information from non-educational persons, agencies, or organizations
Verified information of clear relevance to the student's education

The Family Educational Rights and Privacy Act (FERPA) and the Illinois Student Records Act afford parents/guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. The right to inspect and copy the student's education records within 15 school days of the day the District receives a request for access.

The degree of access a student has to his or her records depends on the student's age. Students less than 18 years of age have the right to inspect and copy only their permanent record. Students 18 years of age or older have access and copy rights to both permanent and temporary records. Parents/guardians or students should submit to the Building Principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The Principal will make arrangements for access and notify the parent(s)/guardian(s) or student of the time and place where the records may be inspected. The District charges \$.35 per page for copying but no one will be denied their right to copies of their records for inability to pay this cost.

These rights are denied to any person against whom an order of protection has been entered concerning a student (105 ILCS 5/10-22.3c and 10/5a, and 750 ILCS 60/214(b)(15)).

2. The right to request the amendment of the student's education records that the parent(s)/ guardian(s) or eligible student believes are inaccurate, misleading, irrelevant, or improper.

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

If the District decides not to amend the record as requested by the parents/guardians or eligible student, the District will notify the parents/guardians or eligible student of the decision and advise him or her of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.

3. The right to permit disclosure of personally identifiable information contained in the student's education records, except to the extent that the FERPA or Illinois School Student Records Act authorizes disclosure without consent.

Disclosure is permitted without consent to school officials with legitimate educational or administrative interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or any parent(s)/guardian(s) or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses education records without consent to officials of another school district in which a student has enrolled or intends to enroll, as well as to any person as specifically required by State or federal law. Before information is released to these individuals, the parents/guardians will receive prior written notice of the nature and substance of the information, and an opportunity to inspect, copy, and challenge such records.

When a challenge is made at the time the student's records are being forwarded to another school to which the student is transferring, there is no right to challenge: (1) academic grades, or (2) references to expulsions or out-of-school suspensions.

Disclosure is also permitted without consent to: any person for research, statistical reporting or planning, provided that no student or parent(s)/guardian(s) can be identified; any person named in a court order; appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons; and juvenile authorities when necessary for the discharge of their official duties who request information before adjudication of the student.

4. The right to a copy of any school student record proposed to be destroyed or deleted.

Student records are reviewed every 4 years or upon a student's change in attendance centers, whichever occurs first.

5. The right to prohibit the release of directory information concerning the parent's/guardian's child.

Throughout the school year, the District may release directory information regarding students, limited to:

- Name
- Address
- Gender
- Grade level
- Birth date and place
- Parents'/guardians' names and addresses
- Academic awards, degrees, and honors
- Information in relation to school-sponsored activities, organizations, and athletics
- Major field of study

Period of attendance in school

Any parent/guardian or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the Building Principal within 30 days of the date of this notice. No directory information will be released within this time period, unless the parents/guardians or eligible student is specifically informed otherwise.

A photograph of an unnamed student is **not** a school record because the student is not individually identified. The District shall obtain the consent of a student's parents/guardians before publishing a photograph or videotape of the student in which the student is identified.

- 6. The right to request that military recruiters or institutions of higher learning not be granted access to your secondary school student's name, address, and telephone numbers without your prior written consent.**

Federal law requires a secondary school to grant military recruiters and institutions of higher learning, upon their request, access to secondary school students' names, addresses, and telephone numbers, unless the parents/guardians request that the information not be disclosed without prior written consent. If you wish to exercise this option, notify the Building Principal where your student is enrolled for further instructions.

- 7. The right contained in this statement: No person may condition the granting or withholding of any right, privilege or benefits or make as a condition of employment, credit, or insurance the securing by any individual of any information from a student's temporary record which such individual may obtain through the exercise of any right secured under State law.**
- 8. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.**

The name and address of the Office that administers FERPA is:

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

Students

Exhibit - Using a Photograph or Video Recording of a Student

Distribute to parent(s)/guardian(s) at the time they register a child for school and/or annually at the beginning of the school year. Return to the Building Principal to be kept in the student's temporary record.

Student _____

School year _____

Pictures of Unnamed Students

Students may occasionally appear in photographs and video recordings taken by school staff members, other students, or other individuals authorized by the Building Principal. The school may use these pictures, without identifying the student, in various publications, including the school yearbook, school newspaper, and school website. No consent or notice is needed or will be given before the school uses pictures of unnamed students taken while they are at school or a school-related activity.

Pictures of Named Students

Sometimes the school may want to identify a student in a school picture. For example, school officials want to acknowledge those students who participate in a school activity or deserve special recognition.

In order for the school to publish a picture with a student identified by name, one of the student's parents or guardians must sign the consent below. Please complete and sign this form to allow the school to publish and otherwise use photographs and video recordings, with your child identified, while he or she is enrolled in this school.

I grant consent to the School District to identify a picture of my child, by full name and/or the school he or she attends, in any school sponsored material, publication, video recording, or website. This consent is valid for the entire time my child is enrolled in the District. I may revoke this consent at any time by notifying the Building Principal.

Parent/Guardian

Parent/Guardian signature

Date

Pictures of Students Taken By Non-School Agencies

While the school limits access to school buildings by outside photographers, it has no control over news media or other entities that may publish a picture of a named or unnamed student. School staff members will not, however, identify a student for an outside photographer.

Community Relations

Connection with the Community

Public Relations

The Board President is the official spokesperson for the School Board. The Superintendent is the District's chief spokesperson. The Superintendent or designee shall plan and implement a District public relations program that will:

1. Develop community understanding of school operation.
2. Gather community attitudes and desires for the District.
3. Secure adequate financial support for a sound educational program.
4. Help the community feel a more direct responsibility for the quality of education provided by their schools.
5. Earn the community's good will, respect, and confidence.
6. Promote a genuine spirit of cooperation between the school and the community.
7. Keep the news media accurately informed.
8. Coordinate with the District Safety Coordinator to provide accurate and timely information to the appropriate individuals during an emergency.

The public relations program should include:

1. Regular news releases concerning District programs, policies, activities, and special event management for distribution by, for example, posting on the District website or sending to the news media.
2. News conferences and interviews, as requested or needed. The Board President and Superintendent will coordinate their respective media relations efforts. Individuals may speak for the District only with prior approval from the Superintendent.
3. Publications having a high quality of editorial content and effective format. All publications shall identify the District, school, department, or classroom and shall include the name of the Superintendent, the Building Principal, and/or the author and the publication date.
4. Other efforts that highlight the District's programs and activities.

Community Engagement

Community engagement is a process that the Board uses to actively involve diverse citizens in dialogue, deliberation, and collaborative thinking around common interests for the District's schools.

The Board, in consultation with the Superintendent, determines the purpose(s) and objective(s) of any community engagement initiative. For each community engagement initiative, the Board will commit to the determined purpose(s) and objective(s), and provide information about the expected nature of the public's involvement; the Superintendent or designee will identify the effective tools and tactics that will advance the Board's purpose(s) and objective(s).

The Superintendent will: (1) at least annually, prepare a report of each community engagement initiative, and/or (2) prepare a final report of each community engagement initiative.

The Board will periodically: (1) review whether its community engagement initiatives are achieving the identified purpose(s) and objective(s), (2) consider what, if any, modifications would improve effectiveness, and (3) determine whether to continue individual initiatives.

CROSS REF.: 2:110 (Qualifications, Term, and Duties of Board Officers)

Community Relations

Community Use of School Facilities

School facilities are available to community organizations during non-school hours when such use does not (1) interfere with any school function or affect the safety of students or employees, or (2) affect the property or liability of the School District. The District reserves the right to cancel previously scheduled use of facilities by community organizations and other groups. The use of school facilities requires the prior approval of the Superintendent or designee and is subject to applicable procedures.

Persons on school premises must abide by the District's conduct rules at all times.

Student groups, school-related organizations, government agencies, and non-profit organizations are granted the use of school facilities at no costs during regularly staffed hours. Fees and costs shall apply during non-regularly staffed hours and to other organizations granted use of the facilities at any time. A fee schedule and other terms of use shall be prepared by the Superintendent and be subject to annual approval by the School Board.

LEGAL REF.:	20 U.S.C. §7905. 105 ILCS 5/10-22.10 and 5/29-3.5. <u>Good News Club v. Milford Central School</u> , 121 S.Ct. 2093 (2001) <u>Lamb's Chapel v. Center Moriches Union Free School District</u> , 113 S.Ct. 2141 (1993). <u>Rosenberger v. Rector and Visitors of Univ. of Va.</u> , 515 U.S. 819 (1995).
CROSS REF.:	7:330 (Student Use of Building - Equal Access), 8:25 (Distribution and Display of Community Flyers and Posters), 8:30 (Conduct on School Property)
ADMIN. PROC.:	8:20-AP (Community Use of School Facilities)

Community Relations

Administrative Procedure - Community Use of School Facilities

1. School-affiliated organizations, school-sponsored programs, and organizations whose primary purpose is to provide financial assistance to the school are all considered, for the purpose of these Procedures, to be school-related.
2. All non-school related groups must complete an application, stating fully:
 - a. The applicant's name, address, and telephone number;
 - b. The specific facility requested and the purpose for which it will be used;
 - c. The type of program or activity;
 - d. The materials to be brought into or near the building;
 - e. The room arrangement, including decorations;
 - f. Needed food and drink service; and
 - g. Needed equipment.
3. All non-school related groups must:
 - a. Indemnify and hold harmless the District and its agents and employees for and from any and all loss including attorneys' fees, damages, expense, and liability arising out of its use of school property.
 - b. Pay any damages to school facilities, furniture, or equipment arising out of its use of school property whether such damage was accidental or deliberate. The cost of damages will be based on the repair or replacement cost, the choice of which is at the Board's discretion.
 - c. Supply proof of insurance verifying that the group maintains adequate insurance coverage against personal injury and/or property loss.
4. All groups must supply adequate supervision to ensure proper care and use of school facilities.
5. Only the cafeteria, auditorium, gymnasium, and athletic field, along with needed hallways and parking areas, are available for community use.
6. No furniture or equipment may be moved without prior approval from the Building Principal.
7. Signs, displays, or materials may not be attached, nailed, or otherwise affixed to school facilities.

Building Use Application

Winthrop Harbor School District No. 1

Applications for building use must be received in the Principal's office *at least one week prior* to the requested use date. You will be notified regarding the status of your application; do not assume that your building request has been approved until you receive notification.

Date: _____ Applying For: District-Sponsored Status* Non-Sponsored Status

Name of Organization: _____

Applicant's Name: _____

Address: _____

Phone: _____

School Building Requested: _____

Rooms Requested: _____

Date(s) Requested: _____

Hours of Use: _____

Requirements of Use (food, drink, decorations, materials, equipment, number of chairs set up, etc):

Number of Children Present (Under 18): _____ Number of Adults Present: _____

Other Activity Sponsors: Name: _____ Phone: _____

Name: _____ Phone: _____

* Individuals / Groups Applying For District-Sponsored Status Must Complete This Section

Read the attached *School District Philosophy* and *Statement of Objectives* policy statement. In the space provided below, specify why you / your group should be granted District-Sponsored status using one or more items from the policy to support your argument. District-Sponsored Individuals / Groups Do Not Have to Pay A Building Use Fee.

Hold Harmless Agreement

"To the fullest extent permitted by law, _____ agrees to defend, pay in behalf of, and hold harmless the Winthrop Harbor School District No. 1, its elected and appointed officials, employees and volunteers and others working in behalf of the Winthrop Harbor School District No. 1; against any and all claims, demands, suits, loss, including all costs connected therewith, for any damages which may be asserted, claimed or recovered against or from the Winthrop Harbor School District No. 1, its elected and appointed officials, employees, volunteers and others working in behalf of the Winthrop Harbor School District No. 1, by reason of personal injury, including bodily injury and death; and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this contract."

The applicant certifies that he/she has agreed to the Regulation For Building Use and that he/she will inform all members of the organization or guests who use these facilities. He/she further certifies that he/she is authorized by the organization to sign this application (if applicable). The applicant acknowledges and stipulates that the Board of Education of School District No. 1 reserves the right to set up further stipulations and to postpone, deny, or cancel the above use of school facilities if, in the Board's judgment, such action is considered in the best interest of the school district.

Regulations For Building Use

The Above Named Individual / Organization MUST:

1. Indemnify and hold harmless the Winthrop Harbor School District No. 1 and its agents and employees for and from any and all loss including attorney's fees, damages, expense, and liability arising out of its use of school property.
2. Pay any damages to school facilities, furniture, or equipment arising out of its use of school property whether such damage was accidental or deliberate. The cost of damages will be based on the repair or replacement cost, the choice of which is at the School Board's discretion.
3. All individuals and groups must supply adequate supervision to ensure proper care and use of school facilities.
4. Only the cafeteria, multipurpose rooms, gymnasium, and athletic field, along with needed hallways and parking areas, are available for community use.
5. Smoking shall not be permitted in school buildings or on school grounds.
6. Alcoholic beverages shall not be permitted in school building or on school grounds.
7. No furniture or equipment may be moved without prior approval from the Principal.
8. Signs, displays, or materials may not be attached, nailed, or otherwise affixed to school facilities.
9. Closing time, except with special permission, shall be no later than 9:00 p.m.
10. Individuals and organizations desiring the use of school facilities on a regular basis shall submit to the administrative office a certificate of insurance indicating that the individual / organization is adequately protected with liability insurance and names the Winthrop Harbor School District No. 1 as an additional insured party.
11. **Fees:**

Sponsored Group:	No Charge
Non-Sponsored Individual / Group:	\$10.00 / Hour In-District Building Rental Fee*
	\$50.00 / Hour Out-Of-District Building Rental Fee
	\$10.00 / Hour Maintenance Fee**
	\$18.50/ Hour Building Supervisor Fee
District Employees:	50% Non-Sponsored Individual/Group Rates

* Individuals/Organizations qualify for In-District rate if 51% or more of the participants reside within the district boundaries.
** Maintenance fee may be waived at the discretion of the superintendent / school board.

Applicant's Signature

The above application is: **Approved - District-Sponsored** **Approved – Non-Sponsored**
 Not Approved

Principal

Date

Examples of Approved and Not-Approved Events:

- Approved*
1. Individual / Organization social events for groups under 50 (groups over 50 require superintendent approval). This could include children events with adequate supervision (requirement: 1 adult for every 10 children).
 2. Classes, workshops, seminars, recreational, or entertainment events that are consistent with the public interest.
- Not Approved*
1. For profit programs and enterprises that are not consistent with the public interest.
 2. Individuals / Organizations whose primary purpose is in conflict with the District's philosophy and objectives.

School District Philosophy

It is the philosophy of School District No. 1 that we will create the atmosphere necessary for the total growth and development of the young people in the district. It is our goal to provide programs and opportunities that will allow all students to meet their individual needs, and which will make best use of their individual abilities. The total school program must be a cooperative effort involving the Board of Education, staff, parents, students, and community. The School District, in an active partnership with parents and community, will promote excellence in a caring environment in which all students learn and grow. This partnership shall empower all students to develop a strong self-esteem and to become responsible learners and decision-makers.

We recognize that:

- It is the responsibility of the school board to provide quality leadership and direction in the development of a sound educational program. The Board is committed to developing and using a visionary and innovative curriculum and a knowledgeable and dedicated staff.
- It is the responsibility of the staff to treat students with individual respect and teach the skills needed for them to become an educated, well rounded, responsible individual.
- It is the responsibility of the parents to be actively involved and supportive of the education of their children.
- It is the responsibility of the students to treat the staff and their classmates with respect and to take full advantage of the educational opportunities offered them.
- It is the responsibility of the community to actively support this commitment to quality education.
- It is the responsibility of all the education partners to help students develop strong moral values, a sense of responsibility for themselves and others, and a respect for the United States of America.

Statement of Objectives

Realizing that the final success of the educational program is measured in terms of the accomplishments of individual students, the Winthrop Harbor School District No. 1 has the following instructional objectives for all of its students:

- To foster in the students self-discovery, self-awareness, and self-discipline, enabling them to realize their worth as a human being and to formulate a personal set of values and goals.
- To develop a positive attitude toward and practice of those disciplines which will produce a healthy mind and body.
- To develop an awareness of present and past cultures and civilizations, acquainting students with the variations in mankind's cultural patterns and with the evolution of their natural and cultural heritage.
- To stimulate intellectual curiosity, guiding students to learn how to seek further knowledge through familiarization with the resources and challenges of the world around them.
- To provide fundamental career concepts and skills, developing in the student a foundation for further career training.
- To direct students in becoming proficient in the art of verbal and nonverbal communication.
- To encourage an appreciation of beauty and to assist the student in developing a capacity for aesthetic perception, creation, and judgment.
- To encourage students to discover and build from their individual strengths and develop an awareness of the value of striving toward excellence and mastery of skills.
- To help students learn to deal effectively with other people, encouraging in them sensitivity to the needs and values of others and a respect for individual differences.
- To develop social and personal responsibility, involving students in decision-making processes and problem-solving activities as they work toward constructive change.
- To help students recognize the basic laws that explain the behavior of the universe and to help them use these laws to predict natural phenomena and to develop an appreciation for the environment.
- To help students realize their relationship to their fellow human beings by learning about the rule of law and how to live in harmony with others in a world community.
- To develop an understanding of consumer education concepts and economic principles for the purpose of achieving, within the framework of the student's own values, maximum utilization of, and satisfaction from, one's own resources.
- To equip students with the technology skills necessary to successfully navigate high school, the workplace, and post secondary institutions of learning.

Community Relations

Use of Spare School Bus

The District's owned school bus, otherwise known as the spare bus, is available to the community for education, civic, cultural, and other uses consistent with the public interest when such use does not interfere with the school program or school-sponsored activities. All other buses that the District operates are leased buses, and because of the severe mileage restrictions imposed on these vehicles, they are not available for use other than the transport of school children on daily routes.

The use of the spare school bus for school purposes has precedence over all other uses. Persons using the spare bus must abide by the District's conduct rules at all times. ¹

Student and school-related organizations and municipalities shall be granted the use of the spare bus at no cost. Other organizations and individuals granted use of the spare bus shall pay fees and costs.

The Superintendent shall develop procedures to manage community use of the spare bus.

CROSS REF.: 7:330 (Student Use of Building - Equal Access), 8:25 (Distribution and Display of Community Flyers and Posters), 8:30 (Conduct on School Property)

ADMIN. PROC.: 8:21-AP (Community Use of School Bus)

¹ See policy 8:30.

Community Relations

Administrative Procedure - Use of Spare School Bus

1. ALL individuals and organizations must complete a Bus Use Application and submit it to the superintendent. Each application must specify:
 - a. the applicant's name, address, and telephone number;
 - b. description of program or activity the bus is to be used for;
 - c. destination and round trip mileage;
 - d. number of persons to be transported;
 - e. materials to transported.

2. ALL individuals and groups must:
 - a. indemnify and hold harmless the District and its agents and employees for and from any and all loss including attorneys' fees, damages, expense, and liability arising out of its use of school bus.
 - b. pay any damages to school bus or its equipment arising out of its use whether such damage was accidental or deliberate. The cost of damages will be based on the repair or replacement cost, the choice of which is at the Board's discretion.
 - c. supply proof of insurance verifying that the individual or group maintains adequate insurance coverage against personal injury and/or property loss (as determined by the superintendent/board).

3. All individuals and groups must supply adequate supervision to ensure proper care and use of school bus.

4. Signs, displays, or materials may not be attached, nailed, or otherwise affixed to school bus.

5. Fees for bus use will be set annually by the Board.

Hold Harmless Agreement

"To the fullest extent permitted by law, _____ agrees to defend, pay in behalf of, and hold harmless the Winthrop Harbor School District No. 1, its elected and appointed officials, employees and volunteers and others working in behalf of the Winthrop Harbor School District No. 1; against any and all claims, demands, suits, loss, including all costs connected therewith, for any damages which may be asserted, claimed or recovered against or from the Winthrop Harbor School District No. 1, its elected and appointed officials, employees, volunteers and others working in behalf of the Winthrop Harbor School District No. 1, by reason of personal injury, including bodily injury and death; and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this contract."

The applicant certifies that he/she has agreed to the *Regulations For Bus Use* and that he/she will inform all members of the organization or guests who use the bus. He/she further certifies that he/she is authorized by the organization to sign this application (if applicable). The applicant acknowledges and stipulates that the Board of Education of School District No. 1 reserves the right to set up further stipulations and to postpone, deny, or cancel the above use of a school bus if, in the Board's judgment, such action is considered in the best interest of the school district.

Regulations For Bus Use

The Above Group / Organization MUST:

1. Indemnify and hold harmless the Winthrop Harbor School District No. 1 and its agents and employees for and from any and all loss including attorney's fees, damages, expense, and liability arising out of its use of the school bus.
2. Pay any damages to the vehicle or its equipment arising out of its use by the applicant, whether such damage was accidental or deliberate. The cost of damages will be based on the repair or replacement cost, the choice of which is at the School Board's discretion.
3. Supply proof of insurance verifying that the individual / group maintains adequate insurance coverage against personal injury and/or property loss.
4. All individuals and groups must supply adequate supervision to ensure proper care and use of the school bus.
5. Smoking shall not be permitted in on the school bus or on school grounds.
6. Alcoholic beverages shall not be permitted on the school bus or on school grounds.
7. No seats or equipment may be moved without prior approval from the Superintendent.
9. Signs, displays, banners, or artwork may not be attached or otherwise affixed to the school bus.
10. Individuals and organizations desiring the use of school bus on a regular basis shall submit to the administrative office a certificate of insurance indicating that the individual / organization is adequately protected with liability insurance and names the Winthrop Harbor School District No. 1 as an additional insured party.
11. Violation of any of the above regulations by an employee of the Winthrop Harbor School District No. 1, could result in disciplinary action.
12. **Fees:** **\$10.00 / Hour Resident Bus Rental Fee***
\$50.00 / Hour Non-Resident Bus Rental Fee
\$16.00 / Hour Driving Time Rate
\$11.00 / Hour Sitting Time Rate (First 2 hour is charged at the Driving Time Rate)
Fuel Charges = Current Market Rate (No charge if fuel used is replaced)

* Groups/Organizations qualify for Resident Rate if 51% or more of the riders are residents of the District.

Applicant's Signature

The above application is: **Approved** **Not Approved**

Superintendent

Date

Reason For Determination: _____

Community Relations

Advertising and Distributing Materials in Schools Provided by Non-School Related Entities

No material or literature shall be posted or distributed that would: (1) disrupt the educational process, (2) violate the rights or invade the privacy of others, (3) infringe on a trademark or copyright, or (4) be defamatory, obscene, vulgar, or indecent. No material, literature, or advertisement shall be posted or distributed without advance approval as described in this policy.

Community, Educational, Charitable, or Recreational Organizations

Community, educational, charitable, recreational, or similar groups may, under procedures established by the Superintendent, advertise events pertinent to students' interests or involvement. All advertisements must (1) be student-oriented, (2) prominently display the sponsoring organization's name, and (3) be approved in advance by the Superintendent or designee. The District reserves the right to decide where and when any advertisement or flyer is distributed, displayed, or posted.

Commercial Companies and Political Candidates or Parties

Commercial companies may purchase space for their advertisements in or on: (1) athletic field fences, (2) athletic, theater, or music programs, (3) student newspapers or yearbooks; (4) scoreboards, or (5) other appropriate locations. The advertisements must be consistent with this policy and its implementing procedures and be appropriate for display in a school context. Prior approval from the Board is needed for advertisements on athletic fields, scoreboards, or other building locations. Prior approval is needed from the Superintendent or designee for advertisements on athletic, theater, or music programs; student newspapers and yearbooks; and any commercial material related to graduation, class pictures, or class rings.

No individual or entity may advertise or promote its interests by using the names or pictures of the School District, any District school or facility, staff members, or students except as authorized by and consistent with administrative procedures and approved by the Board.

Material from candidates and political parties will not be accepted for posting or distribution, except when used as part of the curriculum.

LEGAL REF.: Berger v. Rensselaer Central School Corp., 982 F.2d 1160 (7th Cir. 1993), *cert. denied*, 113 S.Ct. 2344 (1993).
DiLoreto v. Downey Unified School Dist., 196 F.3d 958 (9th Cir. 1999).

Hedges v. Wauconda Community Unit School Dist., No. 18, 9 F.3d 5 (7th Cir. 1993).

Lamb's Chapel v. Center Moriches Union Free School Dist., 113 S.Ct. 2141 (1993).

Sherman v. Community Consolidated School Dist. 21, 8 F.3d 1160 (7th Cir. 1993), *cert. denied*, 114 S.Ct. 2109 (1994).

Victory Through Jesus Sports Ministry v. Lee's Summit R-7 Sch. Dist., 640 F.3d 329 (8th Cir. 2011), *cert. denied*, 132 S.Ct. 592 (2011).

CROSS REF.: 7:325 (Student Fund-Raising Activities), 7:330 (Student Use of Buildings– Equal Access)

Community Relations

Administrative Procedure - Advertising and Distributing Materials in Schools Provided by Non-School Related Entities

Requests from Community, Educational, Charitable, Recreational Organizations, or Other Similar Civic Groups

Actor	Action
Community, Educational, Charitable, Recreational Organizations, or Other Similar Civic Groups	<p>Direct to the Building Principal all requests to advertise events pertinent to students' interests or involvement.</p> <p>Specifically describe the material or literature proposed to be displayed, distributed, or included in the school's website.</p> <p>Request specific dates for the material to be posted or distributed.</p>
Building Principal	<ol style="list-style-type: none"> 1. Screens all material before distributing or posting it to ensure compliance with the District's policy and procedures. 2. Rejects all requests to post or distribute material or literature that would: (a) disrupt the educational process, (b) violate the rights or invade the privacy of others, (c) infringe on a trademark or copyright, or (d) be defamatory, obscene, vulgar, or indecent. 3. Requires that all material and literature be student-oriented and have the sponsoring organization's name prominently displayed. 4. Determines the appropriate location for posting the material and/or distributing it, provided that any distribution by staff is done without discussion. 5. Informs the organization whether its request is accepted or rejected. 6. Removes all materials from the building and/or website that is out-of-date.
Community, Educational, Charitable, Recreational Organizations, or Other Similar Civic Groups	<p>Have the material or posters delivered to the school (the school will not make copies).</p> <p>Provide in electronic format any information that the Building Principal agreed to publish on the school's website.</p>

Requests from Commercial Companies to Advertise and/or Distribute Material

Actor	Action
Commercial Companies	Direct to the Superintendent all requests to advertise on school grounds or in school publications. Specifically identify the requested location for their advertisements, i.e.: (a) athletic field fence, (b) athletic, theater, or music programs, and/or (c) scoreboards. ¹ Prominently display the company's name on all advertising. Provide a copy of the proposed advertisement to the Superintendent.
Superintendent	<ol style="list-style-type: none">1. Screens all proposed ads to ensure that they will not: (a) disrupt the educational process, (b) violate the rights or invade the privacy of others, (c) infringe on a trademark or copyright, or (d) be defamatory, obscene, vulgar, or indecent.2. May approve a commercial request related to graduation, class pictures, or class rings.3. For all other commercial requests, makes a dispositional recommendation during an open School Board meeting.4. After the Board's decision, takes all appropriate steps.
School Board	From time-to-time, by Board resolution, determine minimum fees for advertising space. All fees are subject to negotiation and Board approval. Current minimum fees are: ²

¹ Id.

² Make sure these locations are consistent with those described in Policy 8:25, *Advertising and Distributing Materials in Schools Provided by Non-School Related Entities*.

Community Relations

Visitors to and Conduct on School Property ¹

For purposes of this policy, "school property" means school buildings, District buildings not being used as a school, vehicles used for school purposes, any location during a school athletic and other school-sponsored event, and school grounds.

Visitors are welcome on school property, provided their presence will not be disruptive. ² All visitors must initially report to the Building Principal's office. Any person wishing to confer with a staff member must contact that staff member by telephone, email, or note to make an appointment. Conferences with teachers are held outside school hours or during the teacher's conference/preparation period.

The School District expects mutual respect, civility, and orderly conduct among all individuals on school property or at a school event. No person on school property or at a school event shall:

1. Injure, threaten, harass, or intimidate a staff member, a School Board member, sports official or coach, or any other person; ³
2. Damage or threaten to damage another's property; ⁴
3. Damage or deface School District property; ⁵
4. Violate any Illinois law, ⁶ or town or county ordinance;
5. Smoke or otherwise use tobacco products; ⁷
6. Consume, possess, distribute, or be under the influence of alcoholic beverages or illegal drugs, ⁸ or possess dangerous devices or weapons; ⁹

¹ State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

² Visiting and inspecting the schools is a duty of the school board (105 ILCS 5/10-20.6).

³ See e.g., 720 ILCS 5/12-9 (threats to public officials); 720 ILCS 5/9-1, 5/12-4.2, 5/24-1.2 (crimes against school employees); 720 ILCS 5/12-2, as amended by P.A. 93-0692 (assaulting a sports official or coach).

⁴ See e.g., 720 ILCS 5/2-15b, 5/2-19.5, 5/16-1, 5/18-1, 5/19-1, 5/21-1, and 5/21-1.3 (property damage penalties).

⁵ See e.g., 720 ILCS 5/21-1.3, 5/21-4.

⁶ See e.g., 720 ILCS 5/11-14, 5/11-15, 5/11-16, 5/11-18, and 5/11-19 (prostitution near schools); 720 ILCS 5/21.3-5 (soliciting students to commit illegal act).

⁷ Required by 105 ILCS 5/10-20.5b and 410 ILCS 80/1 *et seq.* Federal law prohibits smoking only inside schools (20 U.S.C. §6081); districts failing to comply with the federal no-smoking ban risk a civil penalty of up to \$1000 per violation per day.

⁸ See e.g., 720 ILCS 5/70-407 (delivery of controlled substance on or within 1000 feet of a school).

⁹ See e.g., 705 ILCS 405/5-407; 720 ILCS 5/24-9, 5/24-9.1 and 725 ILCS 5/110-4, 5/110-10 (firearms in schools); 720 ILCS 5/24-1.2, 5/24-3 (discharge of firearm near school); 705 ILCS 405/5-130, 405/5-805 (minor 15 years or older who commits aggravated battery with a firearm at school is tried as an adult).

7. Impede, delay, disrupt, or otherwise interfere with any school activity or function (including using cellular phones in a disruptive manner);
8. Enter upon any portion of school premises at any time for purposes other than those that are lawful and authorized by the School Board;
9. Operate a motor vehicle: (a) in a risky manner, (b) in excess of 20 miles per hour, or (c) in violation of an authorized District employee's directive; **10**
10. Engage in any risky behavior, including roller-blading, roller-skating, or skateboarding; **11** or
11. Violate other District policies or regulations, or an authorized District employee's directive.

Convicted Child Sex Offender **12**

State law prohibits a child sex offender from being present on school property or loitering on a public way within 500 feet of school property when persons under the age of 18 are present, unless the offender is: (1) a parent/guardian of a student present on school property, or (2) has permission to be present from the School Board, Superintendent or Superintendent's designee. If permission is granted, the Superintendent or Board President shall provide the details of the offender's upcoming visit to the Building Principal. The Superintendent, or designee who is a certified employee, shall supervise a sex offender whenever the offender is in a child's vicinity.

Enforcement

Any staff member may request identification from any person on school grounds or in any school building; refusal to provide such information is a criminal act. **13** The Building Principal or designee shall seek the immediate removal of any person who refuses to provide requested identification.

As circumstances warrant, the District's administrators shall take appropriate action to enforce this policy. Violations will be handled as follows:

10 See e.g., 625 ILCS 5/1-126 (speed limit) and 625 ILCS 5/11-1414 (passing a stopped school bus on school property).

11 The pivotal question in a negligence case is whether the defendant acted reasonably. A ban on roller-blading demonstrates that the district took reasonable steps to reduce the risk of injury.

12 720 ILCS 5/11-9.3. If permission is granted to a non-parent child sex offender to visit school property, the statute requires the superintendent or board president to provide the details of the offender's upcoming visit to the building principal. The sample policy re-states this requirement. The statute assigns the child sex offender the "duty to remain under the direct supervision of a school official." In order to ensure this happens and to protect students, the sample policy requires the superintendent, or designee who is a certified employee, to supervise a child sex offender whenever the offender is in a child's vicinity. See also the Child Sex Offender Community Notification Law (730 ILCS 152/101 et seq.), policy 4:170, *Safety*, and administrative procedure 4:170-AP2, *Child Sex Offender and Murderer Notification Law*.

13 105 ILCS 5/24-25.

- Anyone observing a student violating this policy shall notify the Building Principal where the student is enrolled and the Principal shall take whatever action is appropriate under the student conduct code.
- The supervisor of any employee violating this policy shall take whatever action is appropriate according to personnel rules and bargaining agreements, if any.
- Anyone observing a parent/guardian or other person violating this policy shall immediately notify the Building Principal or designee. The Principal or designee will request that the person act civilly or otherwise refrain from the prohibited conduct. If the person persists with uncivil or prohibited behavior, the principal shall request that the person immediately leave school property and may contact law enforcement, if appropriate. **14**
- If a child sex offender violates this policy, school officials shall immediately contact law enforcement.

LEGAL REF.: Pro-Children Act of 1994, 20 U.S.C. §7181 et seq.
105 ILCS 5/10-20.5b, 5/24-24, and 5/24-25.
720 ILCS 5/11-9.3.

CROSS REF.: 6:250 (Community Resource Persons and Volunteers), 7:190 (Student Discipline), 8:20 (Community Use of School Facilities), 8:40 (Spectator Conduct and Sportsmanship for Athletic and Extracurricular Events)

14 See 105 ILCS 5/15-5 (trespass on school property) and 720 ILCS 5/21-5 (criminal trespass on state supported property).

Community Relations

Administrative Procedure - Definition of Child Sex Offender

Child Sex Offender 1

720 ILCS 5/11-9.3(c)

- (1) "Child sex offender" means any person who:
- (i) Has been charged under Illinois law, or any substantially similar federal law or law of another state, with a sex offense set forth in paragraph (2) of this subsection (c) or the attempt to commit an included sex offense, and
 - (A) Is convicted of such offense or an attempt to commit such offense; or
 - (B) Is found not guilty by reason of insanity of such offense or an attempt to commit such offense; or
 - (C) Is found not guilty by reason of insanity pursuant to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or an attempt to commit such offense; or
 - (D) Is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged commission or attempted commission of such offense; or
 - (E) Is found not guilty by reason of insanity following a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or
 - (F) Is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged violation or attempted commission of such offense; or
 - (ii) Is certified as a sexually dangerous person pursuant to the Illinois Sexually Dangerous Persons Act, or any substantially similar federal law or the law of another state, when any conduct giving rise to such certification is committed or attempted against a person less than 18 years of age; or
 - (iii) Is subject to the provisions of Section 2 of the Interstate Agreements on Sexually Dangerous Persons Act.

Convictions that result from or are connected with the same act, or result from offenses committed at the same time, shall be counted for the purpose of this Section as one

¹ Before relying on the definitions as stated, the user is urged to check the Illinois General Assembly website, www.ilga.gov, for current statute.

conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this Section.

- (2) Except as otherwise provided in paragraph (2.5), “sex offense” means:
- (i) A violation of any of the following Sections of the Criminal Code of 1961: 10-7 (aiding and abetting child abduction under Section 10-5(b)(10), 10-5(b)(10) (child luring), 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-9 (public indecency when committed in a school, on the real property comprising a school, or on a conveyance, owned, leased, or contracted by a school to transport students to or from school or a school related activity), 11-9.1 (sexual exploitation of a child), 11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1 (child pornography), 11-21 (harmful material), 12-14.1 (predatory criminal sexual assault of a child), 12-33 (ritualized abuse of a child), 11-20 (obscenity) (when that offense was committed in any school, on real property comprising any school, in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity). An attempt to commit any of these offenses.
 - (ii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age: 12-13 (criminal sexual assault), 12-14 (aggravated criminal sexual assault), 12-15 (criminal sexual abuse), 12-16 (aggravated criminal sexual abuse). An attempt to commit any of these offenses.
 - (iii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:
 - 10-1 (kidnapping),
 - 10-2 (aggravated kidnapping),
 - 10-3 (unlawful restraint),
 - 10-3.1 (aggravated unlawful restraint).An attempt to commit any of these offenses.
 - (iv) A violation of any former law of this State substantially equivalent to any offense listed in clause (2)(i) of subsection (c) of this Section.
- (2.5) For the purposes of subsection (b-5) only, a sex offense means:
- (i) A violation of any of the following Sections of the Criminal Code of 1961:
 - 10-5(b)(10) (child luring),
 - 10-7 (aiding and abetting child abduction under Section 10-5(b)(10)),
 - 11-6 (indecent solicitation of a child),
 - 11-6.5 (indecent solicitation of an adult),

11-15.1 (soliciting for a juvenile prostitute),
11-17.1 (keeping a place of juvenile prostitution),
11-18.1 (patronizing a juvenile prostitute),
11-19.1 (juvenile pimping),
11-19.2 (exploitation of a child),
11-20.1 (child pornography),
12-14.1 (predatory criminal sexual assault of a child), or
12-33 (ritualized abuse of a child).

An attempt to commit any of these offenses.

- (ii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age: 12-13 (criminal sexual assault), 12-14 (aggravated criminal sexual assault), 12-16 (aggravated criminal sexual abuse), and subsection (a) of Section 12-15 (criminal sexual abuse). An attempt to commit any of these offenses.
- (iii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:
 - 10-1 (kidnapping),
 - 10-2 (aggravated kidnapping),
 - 10-3 (unlawful restraint),
 - 10-3.1 (aggravated unlawful restraint).An attempt to commit any of these offenses.
- (iv) A violation of any former law of this State substantially equivalent to any offense listed in this paragraph (2.5) of this subsection.

- (3) A conviction for an offense of federal law or the law of another state that is substantially equivalent to any offense listed in paragraph (2) of subsection (c) of this Section shall constitute a conviction for the purpose of this Article. A finding or adjudication as a sexually dangerous person under any federal law or law of another state that is substantially equivalent to the Sexually Dangerous Persons Act shall constitute an adjudication for the purposes of this Section.

Community Relations

Exhibit - Letter to Parent Regarding Visits to School by Child Sex Offenders

 Student's Name *(please print)*

 School

Dear Parents/Guardians:

The purpose of this letter is to help the school and District comply with the State law placing restrictions on child sex offenders' access to school property (720 ILCS 5/11-9.3). State law prohibits a child sex offender from being present on school property or loitering on a public way within 500 feet of school property when persons under the age of 18 are present, unless the offender: (1) is a parent/guardian of a student present on school property, or (2) has permission to be present from the Superintendent or the School Board. A child sex offender present on school property must remain under the direct supervision of a school official.

The following applies to a **parent/guardian who is a child sex offender**:

If you are a child sex offender, you need to immediately return this letter with the blanks completed, to the Building Principal's office where your child is enrolled. The District will crosscheck responses with the list received from law enforcement identifying child sex offenders living within this jurisdiction.

When you visit your child at school or a school event that you have not already described on the form below, you must inform the Principal's secretary that you need to make an entry on your record of school visits. This record will be kept on file in the Building Principal's office where your child is enrolled.

The following must be completed by a child sex offender who is a parent or guardian of a student enrolled in the school:

 Name of Parent/Guardian *(please print)*

 Date

 Signature

 Date

- You do not need advance permission for you to visit school property.
- You must provide the information requested below for the times you anticipate visiting the school, such as, after school to pick-up your child, during specific sporting events, and during parent-teacher conferences.
- For all other visits, you must go to the Principal's office and provide the information on your record of visits.
- You must remain under the direct supervision of the assigned school official.

Record of Visits

Date	Location and Purpose	Supervisor	In	Out

Record of Visits

Date	Location and Purpose	Supervisor	In	Out

The following applies **if you know someone who is a child sex offender** who would like to visit school property:

If you know a child sex offender who is not a parent/guardian of a student enrolled in the school, but who would like to visit school property, please refer them to the Superintendent's office to request permission. A child sex offender who is not a parent/guardian of a student enrolled in the school must complete a form in order to be granted permission to visit school property. This form must be completed for each visit to school property.

If permission is granted, the Superintendent or designee shall provide the details of the offender's upcoming visit to the Building Principal. The Superintendent, or designee who is a certified employee, will supervise the offender whenever the offender is in a student's vicinity.

Community Relations

Exhibit - Child Sex Offender's Request for Permission to Visit School Property

A child sex offender who is not a parent/guardian of a student enrolled in the District must complete this form in order to seek permission to visit school property whenever students are present. After a decision is made whether to grant or deny permission to visit, a copy will be returned to you. This information will be kept in the Administration offices as well as in the Building Principal's office where you are seeking permission to visit. Please be specific.

Name (please print) Address

Signature Date

Visit Request

Date and Time	Location and Purpose

The following is to be completed by District personnel only:

Permission Granted **Permission Denied**

Date Signature (Superintendent, Designee, or Board President)

Visit Supervision Time In _____

Time Out _____

Date Signature of Supervisor (Building Principal or other certified employee)

Adopted:

Community Relations

Spectator Conduct and Sportsmanship for Athletic and Extracurricular Events ¹

Any person, including adults, who behaves in an unsportsmanlike manner during an athletic or extracurricular event may be ejected from the event the person is attending and/or denied admission to school events for up to a one calendar year after a School Board hearing. ² Examples of unsportsmanlike conduct include:

- Using vulgar or obscene language;
- Possessing or being under the influence of any alcoholic beverage or illegal substance;
- Possessing a weapon;
- Fighting or otherwise striking or threatening another person;
- Failing to obey the instructions of a security officer or school district employee; and
- Engaging in any activity which is illegal or disruptive.

The Superintendent may seek to deny future admission to any person by delivering or mailing a notice, sent by certified mail with return receipt requested, at least 10 days before the School Board hearing date, ³ containing:

1. The date, time, and place of a Board hearing;
2. A description of the unsportsmanlike conduct;
3. The proposed time period that admission to school events will be denied; and
4. Instructions on how to waive a hearing. ⁴

LEGAL REF.: 105 ILCS 5/24-24.

CROSS REF.: 8:30 (Conduct on School Property)

¹ State or federal law controls this policy's content.

² Boards may make and enforce reasonable rules of conduct and sportsmanship for school events and deny future admission to school events to violators for up to one year provided a notice and hearing is given (105 ILCS 5/24-24).

³ Id. If a violator is a student, the hearing should be held in a closed meeting (5 ILCS 120/2). If, however, the violator is a non-student, the hearing must be held in an open session.

⁴ The hearing requirement is for the violator's benefit and, consequently, the violator should be able to waive it.

Community Relations

Exclusive Bargaining Representative Agent ¹

Authorized agents of an exclusive bargaining representative, upon notifying the Building Principal's office, may meet with a school employee (or group of employees) in the school building before and after the employee's work day and during the employee's duty-free lunch period.

LEGAL REF.: 105 ILCS 5/24-25.

¹ State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

Adopted: May 22, 2006

Community Relations

Accommodating Individuals with Disabilities

Individuals with disabilities shall be provided an opportunity to participate in all school-sponsored services, programs, or activities and will not be subject to illegal discrimination. When appropriate, the District may provide to persons with disabilities aids, benefits, or services that are separate or different from, but as effective as, those provided to others.

The District will provide auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

Each service, program, or activity operated in existing facilities shall be readily accessible to, and useable by, individuals with disabilities. New construction and alterations to facilities existing before January 26, 1992, will be accessible when viewed in their entirety.

The Superintendent or designee is designated the Title II Coordinator and shall:

1. Oversee the District's compliance efforts, recommend necessary modifications to the School Board, and maintain the District's final Title II self-evaluation document, update it to the extent necessary, and keep it available for public inspection for at least 3 years after its completion date.
2. Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Superintendent or Building Principal if they have a disability that will require special assistance or services and, if so, what services are required. This notification should occur as far in advance as possible of the school-sponsored function, program, or meeting. Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Superintendent or designated Title II Coordinator, or by filing a grievance under the Uniform Grievance Procedure.

LEGAL REF.: Americans with Disabilities Act, 42 U.S.C. §§12101 et seq. and 12131 et seq.;
28 C.F.R. Part 35.
Rehabilitation Act of 1973 §104, 29 U.S.C. §794 (2006).
105 ILCS 5/10-20. 51.
410 ILCS 25/, Environmental Barriers Act.
71 Ill.Admin.Code Part 400, Illinois Accessibility Code.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:150 (Facility Management and Expansion Programs)

Community Relations

Gifts to the District

The School Board appreciates gifts from any education foundation, other entities, or individuals. All gifts must adhere to each of the following:

1. Be accepted by the Board or, if less than \$500.00 in value, the Superintendent or designee. Individuals should obtain a pre-acceptance commitment before identifying the District, any school, or school program or activity as a beneficiary in any fundraising attempt, including without limitation, any Internet fundraising attempt.
2. Be given without a stated purpose or with a purpose deemed by the party with authority to accept the gift to be compatible with the Board's educational objectives and policies.
3. Be consistent with the District's mandate to provide equal educational and extracurricular opportunities to all students in the District as provided in Board policy 7:10, *Equal Educational Opportunities*. State and federal laws require the District to provide equal treatment for members of both sexes to educational programing, extracurricular activities, and athletics. This includes the distribution of athletic benefits and opportunities.
4. Permit the District to maintain resource equity among it learning centers.
5. Be viewpoint neutral. The Superintendent or designee shall manage a process for the review and approval of donations involving the incorporation of messages into or placing messages upon school property.
6. Comply with all laws applicable to the District including, without limitation, the Americans with Disabilities Act, the Prevailing Wage Act, the Health/Life Safety Code for Public Schools, and all applicable procurement and bidding requirements.

The District will provide equal treatment to all individuals and entities seeking to donate money or a gift. Upon acceptance, all gifts become the District's property. The acceptance of a gift is not an endorsement by the Board, District, or school of any product, service, activity, or program. The method of recognition is determined by the party accepting the gift.

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Education Amendments implemented by 34 C.F.R. Part 106.
105 ILCS 5/16-1.
23 Ill.Admin.Code §200.40.

CROSS REF.: 4:60 (Purchases and Contracts), 4:150 (Facility Management and Building Programs), 6:10 (Educational Philosophy and Objectives), 6:210 (Instructional Materials), 7:10 (Equal Educational Opportunities)

Community Relations

Parent Organizations and Booster Clubs

Parent organizations and booster clubs are invaluable resources to the District's schools. While parent organizations and booster clubs have no administrative authority and cannot determine District policy, the School Board welcomes their suggestions and assistance.

Parent organizations and booster clubs are recognized by the School Board and permitted to use the District's name, a District school's name, or a District school's team name, or any logo attributable to the District provided they first receive the Superintendent or designee's express written consent. Consent to use one of the above-mentioned names or logos will generally be granted if the organization or club has by-laws containing the following:

1. The organization's or club's name and purpose, such as, to enhance students' educational experiences, to help meet educational needs of students, to provide extra athletic benefits to students, to assist specific sports teams or academic clubs through financial support, or to enrich extracurricular activities.
2. The rules and procedures under which it operates.
3. An agreement to adhere to all Board policies and administrative procedures.
4. A statement that membership is open and unrestricted, meaning that membership is open to parents/guardians of students enrolled in the school, District staff, and community members. **1**
5. A statement that the District is not, and will not be, responsible for the organization's or club's business or the conduct of its members, along with an agreement to carry a million dollars in liability/malefeasance insurance.
6. An agreement to either maintain and protect its own finances OR utilize the District's activity fund accounting service.
7. A recognition that a donation given to a school cannot be earmarked for any particular expense. Booster clubs may make recommendations, but cash or other valuable consideration must be given to the District to use at its discretion. The School Board's legal obligation to comply with Title IX by providing equal athletic opportunity for members of both genders will supercede an organization or club's recommendation. **2**

Permission to use one of the above-mentioned names or logos may be rescinded at any time and does not constitute permission to act as the District's representative.

The Superintendent shall designate an administrative staff member to serve as the liaison to parent organizations or booster clubs. The liaison will serve as a resource person and provide information about school programs, resources, policies, problems, concerns, and emerging issues. Building staff will be encouraged to participate in the organizations.

1 An alternative follows:

An agreement not to engage in discrimination based on someone's innate characteristics or membership in a suspect classification.

2 Booster clubs are understandably selective in their support. However, by accepting booster club assistance that creates vast gender differences, a school board may face claims that it has violated Title IX. Title IX's focus is on equal funding opportunities, equal facility availability, similar travel and transportation treatment, comparable coaching, and comparable publicity (34 C.F.R. Part 106).

CROSS REF.: 7:325 (Student Fundraising Activities)

Approved: April 24, 2006

Community Relations

Relations with Other Organizations and Agencies ¹

The District shall cooperate with other organizations and agencies, including the: ²

- County Health Department;
- Law enforcement agencies;
- Fire authorities;
- Planning authorities;
- Zoning authorities; and
- Other school districts.

CROSS REF.: 4:170 (Safety), 5:90 (Abused and Neglected Child Reporting), 7:150 (Agency and Police Interviews)

¹ State or federal law requires this subject matter be covered by policy.

² Each district must have a policy on relations with other organizations and agencies (23 Ill.Admin.Code §1.210(b)(2)(A)).

Community Relations

Public Complaints

The School Board is interested in receiving valid complaints and suggestions. Public complaints or suggestions shall be referred to the appropriate level staff member or District administrator. Each complaint or suggestion shall be considered on its merits.

An individual, not satisfied after following the channels of authority, may file a grievance under the Uniform Grievance Procedure. This policy shall not be construed to create an independent right to a hearing before the Board.

CROSS REF.: 2:140 (Communications To and From the Board), 2:260 (Uniform Grievance Procedure), 3:30 (Line and Staff Relations), 6:260 (Complaints About Curriculum, Instructional Materials and Programs)